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NOTE.

This book contains, in re-arranged order and with some modifications, the Civil Circulars of 1879, with subsequent additions and alterations, and incorporates certain Circulars which were originally issued separately.

Everything contained in the book of 1879 and in Circulars Nos. 1182 and 1462 of 1882 and 1406 of 1883 and not here republished is cancelled.

In order as far as possible to avoid making the book unwieldy by pasting slips into it, correcting slips containing minor alterations will in future direct that such alterations be made by hand. Such slips should on no account be pasted into the book. If it be desired to preserve them, it should be done separately. Slips containing new sections should invariably be pasted at the end of the chapter—or in the case of Chapter I, which is divided into three parts, A, B and C, and Part A into subdivisions, at the end of the part or subdivision—to which they belong. Such slips will bear the number of the Circular in connection with which they are to be inserted, and also a serial letter, by which it will be possible to see at a glance that all the additions to any given chapter or subdivision are in their places. For example, supposing that additional circulars are in process of time required first after Circular No. 135 and afterwards after Circular No. 127 in Chapter III, they will be pasted at the end of that chapter as Circular No. 135 A and Circular No. 127 B, respectively.

The Circulars contained in the first ten chapters of this book should be quoted as "High Court Civil Circular No. 99," or as the case may be. It will be unnecessary to quote either chapter or page, except when reference is made to Chapters XI, XII and XIII.

CHAPTER I.

PROCEDURE.

A.

SUITS AND OTHER PROCEEDINGS TO FINAL DISPOSAL.

INITIATION OF PROCEEDINGS.

1. When a plaint is admitted, the Clerk of the Court shall, with his own hand, endorse thereon the date of its admission and an order that the particulars thereof be entered in the Register of Civil Suits.

When it has been registered, the Judge shall, with his own hand, endorse thereon an order fixing the day for the appearance of the defendant, and directing whether the summons shall be for the settlement of issues only or for the final disposal of the suit.

2. Any interlineation or correction in a plaint or written statement as presented or tendered shall be attested by the initials of the party presenting or tendering it and of the Clerk of the Court.

3. When copies of documents are filed with the plaint under Sections 59 and 62 of the Code of Civil Procedure, the Clerk of the Court or other officer appointed by the Court in that behalf shall ordinarily compare them with the originals, and certify on the face of them that he has done so, and that they correspond. In cases of special importance such copies shall be verified by the Judge.

4. In every suit the Court shall require the plaintiff to state clearly in the plaint how the valuation of the suit has been arrived at.

5. In suits for the price of goods sold retail, the plaint should either set out the account in detail, or should be accompanied by a copy of the account to be served upon the defendant.

6. Rejected plaints shall be recorded together with the orders of rejection and the reasons for the same and any evidence which may have been taken. A Register of Rejected Plaints shall be kept in each Court in Form No. VII at page 180. The entries in the Register shall be numbered in every year according to the order in which the plaints are rejected.

7. If, after a plaint has been registered, parties are either joined or struck out, or the plaint is otherwise amended, such amendment shall be initialled by the Judge, and a corresponding amendment of the Register shall be made and initialled by the Clerk of the Court.

8. When a Subordinate Judge is invested with the powers of a Court of Small Causes, separate Registers must be kept in respect of suits tried by him in that capacity, and in respect of applications for execution of decrees passed in such suits.

9. In the Register of Suits the names of the parties shall bear consecutive numbers and shall be written one below the other.

10. On every application an order shall be endorsed, showing how it was disposed of : *e. g.*, an application for summonses to witnesses should be endorsed as follows :—"Application granted, summonses to be issued for next," or "Application rejected, because &c. (enter reasons for rejection)."

Date

(Signed)

Judge.

11. When the dismissal of a suit is set aside under Section 99 of the Code of Civil Procedure, the plaint shall not be re-registered, but proceedings shall continue under the original number of the plaint in the Register of Suits.

DOCUMENTS.

12. Attention is called to the following abstract of a letter dated 3rd March 1884 from the Registrar of Her Majesty's Privy Council, which though written before Act VII of 1888 was passed is in accordance with the provisions of Section 142 A :—

The records of appeals from Courts in India to Her Majesty in Council are frequently encumbered with numerous documents which have neither been proved nor admitted; the insertion of these documents increases the bulk of the records and the cost of the proceedings, and it appears to their Lordships that sufficient attention has not been paid to Sections 59, 63, 138, 140 and 141 of the Civil Procedure Code, expressly provided by the Legislature for the correction of this abuse. It is plain from these sections that it was not intended that the mere filing of a document should make it a part of the record. But it appears that in many cases a less strict practice has prevailed. It seems to have been thought that if an exhibit was not rejected it was to be placed on the record, and the practice has been to endorse it as filed by the pleader of the party who produced it, and make it part of the record, without considering whether it was proved or admitted. Indeed, every document not objected to seems to have been admitted as of course. Measures should be taken to direct the attention of the Courts of first instance to Section 141, and to require the Judges of those Courts (except in the case of an appeal upon the ground of the rejection of a document as irrelevant or otherwise inadmissible) not to allow any document to be placed on the record unless it has been proved in evidence or admitted, and to attest the fact that it has been so proved or admitted by an endorsement under their own hands.

13. The provisions of Sections 141-142A of the Civil Procedure Code do not apply to *vaṭalatnāmās*, summonses, and other formal documents, so as to require them to be either proved or admitted before being recorded. All such documents shall, however, be endorsed as the hearing proceeds by the Clerk of the Court, with the number and name of the case, and shall be numbered in their proper order, and placed on the record.

14. i. Documents produced with the plaint or afterwards by any party should immediately upon production be marked with the name

of the party producing them and with letters ('A, B, C, &c.'). for

DOCUMENTS.

RULES ISSUED BY THE HIGH COURT IN SUPERSESION OF CIVIL CIRCULARS 12, 13 AND 14 AT PAGES 4 AND 5 OF THE HIGH COURT CIRCULARS.

14. Circulars Nos. 12, 13 and 14 are cancelled and the new rules are placed under new Circular No. 14.

1. All documents produced with the plaint, or during the hearing, shall be accompanied by a list in Form X, page 182, which will be given free of charge to parties wishing to tender documents in evidence. Each list shall be numbered at the time of presentation with the current number of the roznama.

2. When a document included in the list is tendered in evidence, it shall be detached from the list. If rejected, it shall at once be endorsed, as prescribed by Section 142, Civil Procedure Code, and returned. If admitted, it shall, after being endorsed in accordance with Section 141, be numbered with the current number of the roznama and filed in the record and *all references to it in the depositions and judgment shall bear that number.*

3. When the hearing is concluded, all documents which have not been detached from their list, or lists, and tendered in evidence, or which having been tendered did not prove themselves, or were not admitted by the opposite party, and no evidence was offered in support of them, shall be returned to the parties producing them. Any documents which may not have been given back, owing to the refusal or omission of the party or his pleader to take them, shall be filed separately as a supplement to the record. Great care should be taken that documents not admitted in evidence should not be mixed up with the exhibits in the case.

4. The provisions of Sections 142—142 A, Civil Procedure Code, do not apply to vakalatnamas, summonses and other formal documents. All such shall, when filed, be endorsed with the number and name of the case, and shall be numbered with the current number of the roznama and placed on the record.

5. When, in an inquiry on remand, or by order of the Appellate Court, fresh evidence is taken by the Court of first instance, all exhibits brought on the record shall be numbered with the current number of the roznama in the original suit. (*Vide Government Gazette for 1894, Part I, page 226*).

28th February 1894.

of the party producing them and with letters ('A, B, C, &c.'), for identification and for reference.

ii. Documents when admitted in evidence should be at once endorsed, as required by Section 141 of the Code, numbered as exhibits in the case, and entered in the Roznama (see Circular No. 70 below).

iii. The Judge's reasons for receiving or rejecting documents shall be recorded in his judgment or minute of proceedings (see Circular No. 44 below).

15. As it has been brought to the notice of the High Court that in some cases translations into English of vernacular translations of English judgments have been admitted on the records of suits, and as this is liable to lead to a misunderstanding of the meaning of the judgment, it is directed that in all cases in which parties wish to file copies of judgments they must file copies of the original judgments, and not copies of translations.

APPLICATIONS.

16. Applications materially affecting the conduct of a suit or the legal position or rights of either party, should be received only in writing. In matters of mere routine or indulgence and matters wholly within the discretion of the Judge, motions may be made orally.

To be added as Circular No. 16A at page 7 of the High Court Civil Circular Order Book.

16A. When an application is made to a Court for the granting of limited letters of administration *durante minoris aetate*, the applicant for the grant should always be required to state in his petition the minor's age and verify the statement by an affidavit—(Vide *Government Gazette* for 1900, Part I, page 2365).

13th November 1900.

DESPATCH OF COURT BUSINESS.

17. Every Judge should ordinarily sit for the disposal of regular judicial business for five hours every working day, exclusive of the time occupied in office and chamber work. He should ordinarily begin his work in Court not later than 11-30 A.M. (official time), and except for special cause he need not prolong either a forenoon or afternoon sitting in Court beyond three hours, nor should he ordinarily sit in Court after 5-30 P.M. (official time).

18. i. The following rules and principles are to be adhered to, in order as far as possible to prevent the delay in the disposal of suits and applications for execution, which has been found to be occasioned by want of system in calling on cases for hearing and by the practice of sanctioning adjournments on the mere application of one of the parties based on insufficient grounds.

(a) Certain days in the week may, by general rules to be made by the Judge of each Court, be reserved for fixing issues, deciding *ex-parte* or Small Cause Court cases likely to occupy little time, and disposing of applications in execution not involving the hearing of evidence or lengthy enquiry, and other short miscellaneous matters. This rule is not in any way meant to prohibit the hearing on such days of long causes, if for any reason it is convenient to take them up, or to continue them on such days. On the contrary, care should be taken to set down other work to occupy the time of the Court in case such short causes and miscellaneous work should be insufficient to occupy the whole day.

(b) Subject to this reservation, the hearing of cases shall be continued from day to day agreeably to Section 156 of the Code of Civil Procedure, until the hearing is finished or adjourned for some special reason connected with the suit.

(c) Of the cases set down for any particular day, whether it be for the perusal of documents or for the hearing of evidence or arguments, the oldest on the list should ordinarily be called on first, and it should be proceeded with until the hearing is fully completed, the cases below it on the list being, if necessary, adjourned.

(d) In fixing the hearing of cases on the daily boards, due regard must be had to the rule that *cæteris paribus* old cases are entitled to be set down before new ones, and that when a case is

remanded for retrial, or restored to the file under Section 108 of the Civil Procedure Code, it resumes its original position and number on the file, and is entitled to priority accordingly.

(e) Adjournments are not to be granted unnecessarily. Every effort must be used to make the parties understand that they must be ready to go on with the case on the day for which it is set down, and that, if they through negligence omit to take the steps requisite to secure the attendance of their witnesses or the production of their evidence on that day, they will not necessarily be allowed further time to the inconvenience of the opposite party.

(f) Cases should not ordinarily be set down for final hearing for more than six weeks ahead, or for such period

weeks ahead as the District Judge may fix

which he is satisfied that the period or is shorter than the despatch of business

sary, every such extension of the period Court. After the issues have been fixed

available within the next six weeks, (as been fixed by the District Judge, within be adjourned *sine die* and entered on a

pose, and should eventually be set down on a date of which notice should be given

month beforehand. Provided that in the party is unrepresented by pleader

the presiding Judge, a mere hearing would not be a sufficient

may be fixed immediately after

Judge should on a particular

of cases adjourned *sine die* and

hearing during the sixth week

fixing the hearings follow the

application from either party, or otherwise, he may think proper, for

any special reason, to deviate from such order. He should fix an inter-

mediate day for taking proof of service of summons and notice

under Section 128 of the Code, if any ; in this way, if the summons is

not served by that day, there will still be time to issue a fresh sum-

mons and take up the case on the day originally fixed, while, if it

is served, the plaintiff will know whether he must call witnesses or

Note to Circular No 181, (A) on page 10 of the High Court Civil Circulars.

Case fixed for final disposal and suits for maintenance & costs are to be placed on the *sine die* list. (See Government Circular No 181, Part I, page 657).

In July 1891, if a *sine die* requisition is made by Dec 31/1 (which) under Sec. 533 C.P. Code.

The following addition to the Note to Circular 181 (f) at page 10 of the High Court Civil Circulars should be made by hand.

After the words "suits for maintenance" the words "and suits registered under Section 531 and filed under Section 283 of the Civil Procedure Code" should be inserted. (Vide Government Circular No 181, Part I, page 657).

the list of the cases for

hereto. He should in

of the file, except when on

otherwise, he may think proper, for

any special reason, to deviate from such order. He should fix an inter-

mediate day for taking proof of service of summons and notice

under Section 128 of the Code, if any ; in this way, if the summons is

not served by that day, there will still be time to issue a fresh sum-

mons and take up the case on the day originally fixed, while, if it

is served, the plaintiff will know whether he must call witnesses or

not. The above instructions do not apply to cases disposed of at the first hearing under Chapter XII of the Code of Civil Procedure, but care should be taken that such cases and cases set down for framing issues are taken up with as little delay as possible.

(g) A party desirous of obtaining a commission for the examination of witnesses in a case on the *sine die* list, should not wait till a day has been fixed for the hearing under Clause (f), but should apply while the case is still on the *sine die* list for the issue of the commission, first giving notice to the other side of his intention to apply and of the date on which he will apply. If the application is made within a reasonable time before the date on which the case might be expected to be removed from the *sine die* list for hearing, and such application had been made, then the case should not be adjourned until the return of the commission, unless there is a special turning it.

If adjournment is granted after a case has been set down for hearing under Chapter XV of the Code, such adjournment sanctioned for a longer period than six weeks, and the parties specially pray for a longer period and the circumstances of the case, considers a longer adjournment.

(i) The Court has no power to give leave of absence to pleaders. A pleader unable to attend the Court for any cause contemplated by the 1st of Section 54 of Regulation ii of 1827 should follow the provisions therein laid down. Provided that he may appoint another pleader to appear in his behalf, and in such case the hearing will proceed unless the Court see reason to the contrary.

The attention of all Judges is directed to Sections 179, 180 and 181 of the Civil Procedure Code. The procedure therein laid down should be strictly followed. The practice of hearing all the arguments of both parties at the close of the suit is not in accordance with law, and should be discontinued.

ii. The Judge of each Court shall make rules for the division of the week between long and short cases, and generally for carrying out the above principles. These rules shall, when made by a Subordinate Judge, be submitted for the approval of the District Judge, and when so approved shall be posted in a conspicuous place in the Court for the information of pleaders and parties.

iii. A Judge should write his judgment as soon as possible after hearing of the case has been completed ; and in no case shall a Sub-ordinate Judge, who is transferred to a new Court, give over charge of his Court till he has disposed of all cases which had been adjourned for judgment before he received the order of transfer. Any Sub-ordinate Judge who has received an order of transfer while disposing of a case so heavy that he cannot prepare his judgment in it within the time during which he would ordinarily remain at the Court from which he is being transferred, should immediately on receiving the order of transfer, report the circumstance to the I. J. who will allow him to remain for the time required for judgment, and will, if necessary, apply to Government for an arrangement. (See Circular No. 167 below.)

19. i. All suits, appeals or applications, for defence of which persons in the service of Government, the Army, or soldiers have obtained leave of absence, should be disposed of as soon as they are ripe for hearing, irrespective of in which they may stand in the Register, and as consistent with the due administration of justice.

ii. When a native officer or soldier has obtained leave for the purpose of instituting or defending a suit, or an appeal, and the case cannot be brought to a decision during his leave, he shall, if he so request, be furnished with an order stating the extension of leave that may be necessary.

iii. When an application or letter is received from a native officer or soldier stating that he requires leave for such purpose, the case may be adjourned. The Officer may be requested to state when leave is required, and in order that the case may be then brought on for hearing.

SUMMONING AND ATTENDANCE OF WITNESSES.

20. In Courts subordinate to the High Court, the travelling and other expenses of witnesses shall be paid according to the following scale under Sections 160 and 162 of the Code of Civil Procedure :—

(a) European and East Indian witnesses are to be allowed their actual expenses for carriage when the same are not in excess of six annas a mile. They are also to be allowed a sum not exceeding Rs. 2-8-0 a day for subsistence allowance for the time of their attendance at and journey to and from the Court, if they demand the same.

(b) Native witnesses of the better class, as patels, pándhar-peshás, merchants, vakils, and persons of corresponding rank, are to be allowed from 8 annas to 1 rupee a day, and artizans 6 annas a day, as subsistence allowance.

(c) Native witnesses of the class of cultivators and menials, who would not under ordinary circumstances voluntarily incur any expense on account of special lodging when away from home, are to be allowed subsistence money at the rate of 4 annas per day.

(d) The persons mentioned in Clauses (b) and (c) are also to receive railway and other travelling expenses actually incurred by them, provided the same be reasonable. When the journey to and from the Court is made by railway or other means of conveyance, the time for which subsistence allowance is paid should be that actually spent on the journey. Where the journey is made on foot, 15 miles a day should be reckoned as a day's journey, and subsistence allowance should be paid accordingly.

(e) Peculiar cases not provided for in the above Rules are to be dealt with according to their own merits, and at the discretion of the Court from which subsistence money or travelling allowance is demanded.

21. The period within which the travelling expenses and expenses for one day's attendance, under the foregoing Rule, are to be paid into Court by the party applying for a summons shall be fixed by the Court at the time when the application is made; and on the payment of the said expenses the summons shall be granted forthwith.

22. Subsistence money due to witnesses during their attendance at the Court shall be paid to them daily.

23. Proclamations under Section 168 of the Code of Civil Procedure are not to be issued except after careful enquiry, and unless the Judge is satisfied upon such enquiry that the witness is wilfully avoiding service of the summons.

24. Any officer in the service of Government, whose absence from duty may be detrimental to the public service, should not, in general, be summoned to give evidence, and, if summoned, he should, on his own application or that of either party, be examined immediately under Section 192 of the Code of Civil Procedure. Ordinarily a commission should be issued for the examination of such officer, as provided in Section 386 (c). (See Circular No. 119 below.)

25. When the hearing of a case is adjourned to a future day, and a party requires the re-attendance on that day of a witness then present in Court, whether summoned or brought by a party to give evidence, such witness, before leaving the Court, may on the motion of the party be served with an order for re-attendance in Form No. XIII, at page 185, provided that the party there and then pays him his travelling and other expenses for his re-attendance under Circular No. 20 above.

26. By the Government of India's Resolution No. 3025 of the 31st December 1878, Collectors and Mámlatdárs are authorized to make advances for the payment of subsistence money to witnesses summoned by a Judge in a suit under trial in his Court without an application from either party. Such advances will be refunded from the amount realized in execution of the decree, and in cases in which no execution takes place, in such manner as to the Court shall appear appropriate.

1. Mr. [Name] is [Title] of the
[Department]

- 2. [Name] is [Title] of the [Department]
- 3. [Name] is [Title] of the [Department]
- 4. [Name] is [Title] of the [Department]
- 5. [Name] is [Title] of the [Department]

6. [Name]

WITNESSES.

shall commence as follows :—

or oath, (as the case may be)
her's (or husband's) name
(state) , my age
residence , &c.

Section 7 of Act X of 1873, the

Honourable the Chief Justice and Judges are pleased to direct that in all Courts subordinate to the High Court, Pársi witnesses and interpreters shall be sworn on the Zendavesta by an officer of the Court in the manner and form following.

The witness or interpreter (placing his right hand on the open book and with his shoes on his feet) shall repeat after the officer the following words (or their equivalent in his own language)—
“ I swear in the presence of Almighty God that what I shall state shall be the truth, the whole truth, and nothing but the truth.”
He shall also repeat the words “ Manasni, Gavasni, Kunasni.”

29. In all cases in which the appeal lies direct to the High Court under Section 26 of Act XIV of 1869, Subordinate Judges of the First Class shall write the memorandum of the evidence in English.

The High Court desires that other Subordinate Judges, who know English sufficiently well to enable them without inconvenience to write the memorandum of evidence in that language, should do so in all appealable cases. Their Lordships at the same time do not make any rule on the subject, as, if a Subordinate Judge finds that much delay is occasioned by his writing the memorandum in English, it is better that he should use the vernacular.

30. When remarks as to the demeanour of a witness are made, they are to be entered at the foot of his deposition ; and when any question is objected to, and the Court disallows it, or allows it to be put, the objection and the Court's decision, and the other particulars

To be added to the High Court Civil Circulars, page 17, as Circular No. 31A.

31A. A District Judge, Assistant Judge or Subordinate Judge may use a type-writer for the purpose of recording judgments, depositions and memoranda of evidence, but every sheet of any judgment, deposition or memorandum of evidence so recorded must be signed by the District Judge, Assistant Judge or Subordinate Judge recording it. (Vide *Government Gazette* for 1893, Part I, page 594).

AFFIDAVITS.

32. District Courts are empowered by the Government of Bombay under Section 197 of the Civil Procedure Code (see Resolution of the 12th October 1877) to appoint officers to administer oaths to declarants for the purpose of affidavits in the District Courts, and the Courts subordinate to the District Courts, within the meaning of Section 2 of the Code.

All appointments under this Resolution are to be reported to the High Court.

33. When any person desires to make any application to the High Court in its civil or criminal jurisdiction, and to support the same by an affidavit or statement on solemn affirmation, any Court or Magistrate, or the Clerk of a District Court, shall, on application, take such affidavit or statement on solemn affirmation, and on payment by an affixed stamp of such fee as may be legally prescribed, authenticate the same by signature with endorsement stating clearly that the affidavit was made on oath or solemn affirmation in the presence of the Court or officer attesting it.

34. The following are the orders of the Government of Bombay with respect to the attestation of affidavits and powers-of-attorney and such like documents by public officers [see Government Resolutions (Judicial Department) Nos. 2308 of the 12th June 1871, 429 of the 21st January 1887, and 357 of the 18th January 1888]. *2164 of the 29th March 1894.*

The Right Hon^{ble} the Governor in Council is of opinion that the practice of attesting documents by Judges, Assistant Judges, Magistrates or other Judicial Officers of corresponding rank should be restricted as much as possible, as considerable inconvenience would be occasioned if public officers of this class were liable to be called away from their duties to prove in a Court of Justice the execution of documents which they had attested.

There are cases, however, in which it would be right and proper that such attestation should be made, and the determination of this question must be left to the discretion of the officers applied to.

In all instances where attestations are made by public officers of this class, a fee of one rupee should be taken in the shape of a stamp, which should be affixed to the documents and obliterated.

The practice which has hitherto obtained of the attestation by the Názirs of Civil Courts of vakalatnámás and mukhtyárnámás to be used in civil suits and appeals and other judicial proceedings would appear to have been useful and convenient, and might be continued, if held to be legal and approved of by the High Court.

In such cases a small fee might be charged, as is now done, which should be appropriated by the officer who makes the attestation according to the following scale:—

Názir of High Court 8 annas

Názir of District or Subordinate Court ... 4 annas

and a stamp of equal amount should be affixed to the document in each case and obliterated.

This has been extended to affidavits made before any officer of a Court appointed for the purpose by the District Judge; except in the case of affidavits made for immediate use in the Court whereof the attesting officer is a functionary. In the cases so excepted no fee is to be levied. If a Judge or Assistant Judge attests an affidavit he shall not receive any fee but the fee that but for this provision would be payable to him shall be added to the stamp fee paid for the attestation; subject to the exception already indicated as to an affidavit to be immediately used in Court.

These attestations should only be made when the documents mentioned are brought to the Court. Parties who require documents attested at their own houses should have recourse to the

The following should be added to Circular No. 34 of the High Court Civil Circulars.

Add to the 1st para. "and 2164 of the 29th March 1894." and

Add the following as a last para. to the Circular.

"Magistrates in the Sirsi Division should administer the oath, under Section 197 of the Code of Civil Procedure, to bailiffs making affidavits of service of process of the Civil Courts. The fees leviable by Magistrates under Government Resolutions Nos. 2308 dated the 12th June 1871, and 429 dated the 21st January 1887, from bailiffs for the attestation of their affidavits will not be leviable in the Sirsi Division—*vide* G. R. 2164 dated 29th March 1894."

0th July 1894.

The practice which has hitherto obtained of the attestation by the Názirs of Civil Courts of vakalatnámás and mukhtyárnámás to be used in civil suits and appeals and other judicial proceedings would appear to have been useful and convenient, and might be continued, if held to be legal and approved of by the High Court.

In such cases a small fee might be charged, as is now done, which should be appropriated by the officer who makes the attestation according to the following scale:—

Názir of High Court 8 annas

Názir of District or Subordinate Court ... 4 annas

and a stamp of equal amount should be affixed to the document in each case and obliterated.

This has been extended to affidavits made before any officer of a Court appointed for the purpose by the District Judge; except in the case of affidavits made for immediate use in the Court whereof the attesting officer is a functionary. In the cases so excepted no fee is to be levied. If a Judge or Assistant Judge attests an affidavit he shall not receive any fee but the fee that but for this provision would be payable to him shall be added to the stamp fee paid for the attestation; subject to the exception already indicated as to an affidavit to be immediately used in Court.

These attestations should only be made when the documents mentioned are brought to the Court. Parties who require documents

**The following should be added to Circular No. 34
of the High Court Civil Circulars.**

Add to the 1st para. "and 2907 of the 9th April 1897."
and

Add the following para. at the end of the Circular.

Magistrates within the jurisdiction of the Belgaum First Class Subordinate Court, comprising two Talukas and one Mahal, of the Chikodi Subordinate Court, comprising one Taluka and one Mahal, of the Saundatti Subordinate Court, comprising two Talukas and one Mahal, and of the Athni Subordinate Court, comprising two Talukas, should administer the oath, under Section 197 of the Code of Civil Procedure, to bailiffs making affidavits of service of process of the Civil Courts. The fees leviable by Magistrates under Government Resolutions Nos. 2308, dated the 12th June 1871, and 429, dated 21st January 1887, from bailiffs for the attestation of their affidavits will not be leviable within the above mentioned Talukas and Mahals.—*vide* G. R. No. 2907, dated 9th April 1897.

27th April 1897.

COMMISSIONS.*

35. Before issuing any commission under Chapter XXV of the Code of Civil Procedure, 1882, the Civil Court shall, as a general rule, order such sum as it thinks reasonable for the expenses of the commission, to be, within a time to be fixed by the Court, paid into Court by the party at whose instance or for whose benefit the commission is issued. In the order appointing a commissioner it shall be stated that a fee not exceeding a sum to be fixed by the Court will be paid to the commissioner for the execution of the commission. When the commission is executed to the satisfaction of the Court, the full sum mentioned shall be paid to the commissioner; but where the commission is not executed at all, or not fully or satisfactorily executed, or the work done turns out to be less than was expected, it will be in the discretion of the Court to direct a smaller amount to be paid, or to make any other order in the matter which it thinks just and proper under the circumstances.

Such fees, when the Commissioner is a servant of Government in the Judicial Department, and the work of executing the commission is not done entirely out of office hours, are to be credited to Government in accordance with Government Resolution (Revenue Department) No. 7858 of the 28th September 1885.

The Judge of each district should from time to time call for returns of fees so credited to Government on account of the execution by his subordinates of commissions issued under Chapter XXV of the Code of Civil Procedure.

36. Commissions issued under Section 386 of the Civil Procedure Code, by the Mofussil Courts to the First Judge of the Court of Small Causes at Bombay for the examination of witnesses resident in Bombay, should be sent direct to him by the Courts issuing them, by post, and immediately on their issue; and in all cases one month's time should be allowed for their execution and return. On receipt of such a commission, the Judge will write to the Court issuing it, acknowledging its receipt and stating the date fixed by him for taking the evidence. This date should be communicated to the parties concerned, with a view to their making arrangements to be present in Bombay a few days before that date, in order to enable

* See also Circular No. 18 i (g) above.

To be pasted at page 23 of the High Court Civil Circulars in supersession of Circular No. 37.

37—1. When commissions are issued by Civil Courts in the Bombay Presidency for the examination of witnesses and the persons to be examined are residents of the Secunderabad Cantonment, the Residency Bazaars or the Railway lands, the District Judge, Secunderabad, Superintendent of Residency Bazaars or District Judge, Railway lands, should respectively be appointed commissioner direct by the Court concerned and the papers forwarded direct to the officer to whose jurisdiction the case relates. All remittances sent with such commissions should be made payable to the officer to whom the commission is addressed.

2. When the witnesses to be examined ordinarily reside within the jurisdiction of His Highness the Nizam's Courts, the British Indian Court should send its commission direct to the principal Civil Court of the District of His Highness' dominions in which the persons to be examined reside and that Court, after due execution, will return the commission direct to the Court issuing it. A list of the various Districts in his Highness' territory, with the names of the towns and villages comprised in them respectively, will be separately notified hereafter and forwarded for the information of the District Courts and the Courts subordinate thereto.

3. No commission should ordinarily be addressed to the Resident; nor should any remittance be made payable to him.

4. No commission should be sent direct to His Highness the Nizam's Minister without the intervention of the Residency Office.

5. Sufficient time should be fixed for the return of commissions and names of the witnesses to be examined should be given in full with their correct addresses. The streets or lanes where they reside should, so far as is possible, be ascertained and stated—(*vide Bombay Government Gazette for 1897, Part I, page 1300*).

38B—A Court to which a commission is sent for the examination of witnesses at the request of one party may allow the other party, if leave has been given him to join in the commission, to examine his witnesses, and may allow each party to cross-examine any witness examined by the other party. (See *Government Gazette for 1891, Part I, p. 226*).

the Judge to cause the necessary service of subpoenas to the witnesses to be examined on commission.

37. Commissions issued by Civil Courts in the Bombay Presidency for the examination of witnesses at Hyderabad should, as a rule, be addressed to the First Assistant Resident or such other officer or officers as he may appoint; and all remittances sent with such commissions should be made payable at Hyderabad, and not at Secunderabad, to "The First Assistant Resident" without giving the name of the officer holding the appointment.

No commission should ordinarily be addressed to the Resident; nor should any remittance be made payable to him.

No commission should be sent direct to His Highness the Nizám's Minister without the intervention of the Residency Office.

Distant dates should be fixed for the return of commissions, and names of the witnesses to be examined should be given in full, with their correct addresses. The streets or lanes, where they reside, should, so far as is possible, be ascertained and stated.

Commissions for examination of witnesses residing at Secunderabad (Husen Sagar) or at Bolarum (Alwal) should be invariably addressed to the Cantonment Magistrate, Secunderabad, and the Superintendent of Police, Bolarum, respectively; and remittances in such cases should be made payable to the officer to whom the commission is addressed.

38. No person holding the office of Judge in any Court subordinate to the High Court shall receive a fee for the execution of any commission for the examination of witnesses issued to him under the provisions of the Code of Civil Procedure.

35A. Provided that if a commission for taking evidence be accepted by a paid servant of Government, the fee shall invariably be credited to Government in accordance with Government Resolution (Judicial Department) No. 2551, of the 11th May 1889.—*Government Gazette* 1889, Part I, page 587.



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APPEALS.

40. With a view to the requirements of Section 5 of Act XV of 1877 (Limitation Act), it is directed that when an appeal or application for review of judgment is presented in any Court after the period of limitation prescribed therefor, such appeal or application shall be accompanied by an affidavit setting forth the cause of the delay.

41. When an Appellate Court dismisses an appeal under Section 551 of the Code of Civil Procedure, a formal decree should be

“Accompanied by a brief statement of the grounds for doing so.” (Vide *Government Gazette*, 1890, Part I, page 125).

and brief statement of the
90, Part
Page 12

court need not issue to the parties fresh notices of the date fixed for hearing if all parties were represented by pleaders in the Appellate Court or in the original proceedings in the Lower Court. In such case it will be sufficient if timely notice of such hearing is given on the notice-board, or intimation is given to the pleaders of the parties, but notice must be served on such parties as were not so represented in either Court in the manner provided by Chapter VI of the Code.

43. Rejected memoranda of appeal shall be recorded together with the orders of rejection, and the reasons for the same and any evidence which may have been taken. A Register of rejected memoranda of appeal shall be kept in a form similar to Form VII at page 180. The entries in the Register shall be numbered in every year in the order in which the memoranda are presented.

To be pasted at page 27 of the High Court's Civil Circulars as para. 43A.

43A. All appeals against decisions in proceedings other than suits shall ordinarily be placed first on the list of cases set down for hearing on the day fixed in the notice. If, for any reason, any such appeal cannot be set down on the day so fixed, the order of the Court shall be taken on the matter. (See *Government Gazette*, p. 995 for 1890, Part I).

16th September 1890.

It is most important that all judicial officers should clearly state in their judgments the facts of the case and the issues and findings on the issues, as without these the Appellate Court is often unable to dispose of appeals without a remand to the Court of first instance, causing great and unnecessary delay and expense.

"Provided that where a statement is written in English and is contained in a statement is correctly set forth in the should verify it and not be taken to set out the substance of the judgment, but such judgment the substance of the decision of the ment Gazette for 1895, Part I, page 10.

The judgment may be written continuously with the minute, or separately. It should itself present a sufficient statement of the questions raised, the evidence bearing on them and the facts proved, to be self-explanatory; but it may properly refer to the minute for explanation of proceedings, or for interlocutory decisions therein set forth.

45. At the hearing of an appeal the Appellate Court should, in the first instance, on a perusal of the judgment in the Court below and of the petition of appeal, lay down distinctly the points which arise for determination. These will ordinarily include the main issues which have been raised in the Court of first instance, but such issues may, in proper cases, according to the provisions of Section 565 of the Code of Civil Procedure, be re-settled by the Appellate Court. The points which appear essential having been thus determined, the Court should state them to the parties or their pleaders. Should no further point be then suggested, the fact should be noted by the Court. Should any further point be suggested, the Court should either adopt it, or state its reason for refusal. If in the hearing of the appeal any further point should appear necessary for the right adjudication of the cause, the Court should lay it down, stating its reasons for this course.

46. The final orders in all miscellaneous judicial matters shall invariably be recorded by the Judge in his own handwriting.

47. The notice prescribed by Section 198 of the Code of Civil Procedure of the day on which a judgment not pronounced forthwith ~~will be delivered~~ should in general be given at the time of the

ii. When a suit is settled by compromise, the fact of the compromise and its terms should be set out in the decree, which should state that it is passed in terms of the compromise.

52. Judgment must always be passed upon an award filed under the provisions of Section 525 of the Civil Procedure Code, since Section 526 provides that the award in such cases shall take effect as an award made under the previous provisions of the chapter, and consequently that judgment and decree must follow, in the same manner as upon an award made in a suit.

53. Whenever under any law a case is referred to a Court with a view to evidence being taken and a report or finding thereon being returned to a Superior Court (*e.g.* in cases falling under Act XX of 1864 or under Section 566 of the Code of Civil Procedure), the report or finding should be written in the Judge's own handwriting, unless for some reason, to be recorded in the proceedings, he may be prevented from writing it himself.

54. Every Civil Court of original jurisdiction shall furnish the Government Pleader of such Court, without charge, with a copy of every decree passed by itself, or by any superior Court on appeal from a decree passed by it, which directs any party to pay pauper costs to Government.

55. When a rule operates only on agriculturists' holdings, an intimation should be given, at the close of every judgment and of every decree, that the person claiming benefit under it is to come in and claim recognition as such, after notice to the opposite party, failing which execution may proceed as against a non-agriculturist. Costs may properly be put upon a person failing so to come in.

56. It is the duty of the pleaders on either side to see that decrees and final orders are properly drawn up in conformity with the terms of the judgment, and every facility should be given them for that purpose and for being heard on the subject in cases of doubt and difficulty.

COSTS AND PLEADERS' FEES.

57. When a plaintiff or a defendant engages more pleaders than one to conduct or defend a case, he shall be allowed one set of costs only.

58. When several defendants having substantially one defence to make, employ several pleaders, they shall be allowed one set of costs only. In cases such as the one here contemplated, it will be for the plaintiff, at the time of hearing, to ask for a direction of the Court that separate costs be not allowed.

59. When the Government Pleader appears to resist an application for permission to sue or to appeal *in formâ pauperis*, he is entitled to a full set of costs: *allowed by law in such cases.* separate costs should not be allowed to a defendant's pleader, unless good cause is shown by the defendant for employing any pleader other than the Government Pleader. *vide G. 1 Page 827 1890, Part*

60. When two or more defendants having separate substantial defences have engaged the services of one pleader, they shall be allowed separate sets of costs. In this case it will be for the defendants interested to apply at the hearing for separate costs.

61. When several defendants having separate defences are represented by separate pleaders, they shall be entitled to separate costs.

62. In any miscellaneous proceeding not being one involved in or necessary to the conduct of a suit or an appeal to decree, and in which the subject-matter does not admit of a precise valuation in money, the fee allowed shall, in a District Court or in a Court of Small Causes, be Rs. 10, subject by special order of the Court to diminution to a sum not less than Rs. 5, and to increase to a sum of not more than Rs. 30 for each such proceeding. In the Subordinate Courts, and Māmlatdārs' Courts constituted under Bombay Act III of 1876, the fee shall ordinarily be Rs. 5, subject to increase by special order to a sum not exceeding Rs. 15.

63. In awarding the Government Pleader one-fourth fees for applications under Section 411 of the Civil Procedure Code for execution of decrees which order the payment of pauper costs to Government, it is directed that such fees should be calculated upon the amount of pauper costs.

64. The retaining fee of annas 8 payable to a pleader under Clause 2, Section 50, of Regulation II of 1827 should not be included in the costs of a suit.

65. A suit decided on defendants' admission is decided on the merits within the meaning of Section 7 of Act I of 1846.

66. In suits for declaration of right and for restitution of conjugal rights, the pleader's fee should be calculated on the amount which stamps of Rs. 10 and Rs. 5, respectively, on the plaints would cover under the table of rates of *ad-valorem* fees leviable on the institution of suits given in Schedule I of the Court Fees Act (VII of 1870).

REFERENCES TO THE HIGH COURT.

67. When a reference in any civil suit or proceeding is submitted for the decision of the High Court, the record and proceedings should be sent up at the time of making the reference.

68. When a Court makes a reference under Section 617 of the Code of Civil Procedure, it should always state whether in its opinion the suit or appeal is one in which the decree will be final.

MÁMLATDARS' COURTS.

69. Mámlatdárs should try suits under the Mámlatdárs' Courts Act (Bombay Act III of 1876) at the head-quarters of their talukás, except in special circumstances, such as the convenience of trial on the spot, which, when they exist, should be recorded in the proceedings.

To be inserted at page 38 of the High Court Circulars as Circular No. 69B.

69B.—After the decision of a suit in a Mámlatdar's Court any person, whether a party to the suit or not, desirous of receiving back any document produced by him in the suit and placed on the record, shall, unless the document has been impounded by the Court, be entitled to receive back the same provided that the document may be returned at any time before the decision of the suit, if the person applying for such return delivers to the Court a certified copy of such document to be substituted for the original. On the return of a document which has been admitted in evidence, a receipt shall be given by the party receiving it in a receipt-book to be kept for that purpose. (Vide Government Gazette for 1892, Part I p. 53).

12th January, 1892.

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MINUTES OF PROCEEDINGS.

The book is to be kept in all Courts:-
The book is Form XXXVII at page 84
It is to show at a glance, as for entries
in respect of a Supreme Court, how
many cases the Court on any one day, will
and each such case will appear from the
date of trial of the case.

Entries are to be made for the appointment
as soon as an order is made in
the Civil Procedure Code
read with Section 647 in case
of entered suits or proceedings
before the Court on any day
Entries in this column
such suits or proceedings
Entries in column 4
columns 2, 3 and
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page 252.
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THE COURT OF APPEALS IN THE DISTRICT OF COLUMBIA

1. Sessions cases and interlocutory appeals and appeals and
2. Original cases and interlocutory appeals
3. Replevin and summary judgment appeals
4. All other interlocutory appeals except the cases in this and not enumerated in sections 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

II. A-2. The Court is to be held at a regular session and all cases shall be heard at the same place and at the same time as the cases in this and not enumerated in sections 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 34

REGISTERS OF PROCEEDINGS.

70. The following books are to be kept in all Courts :—

A.—The MEMORANDUM BOOK in Form LXXXVII at page 249.

i. The object of this book is to show at a glance, as for example to the District Judge when inspecting a Subordinate Court, how many cases came in any way before the Court on any one day, while the quantity of work done in each such case will appear from the Roznáma (see below) and the record of the case.

ii. Entries in columns 2 and 3 are to be made for the appointed day in the book whenever, and as soon as, an order is made in any case, under Section 68 or 552 of the Civil Procedure Code in suits or appeals, or under Section 68 read with Section 647 in other proceedings. In column 5 are to be entered suits or proceedings requiring judicial enquiry which come before the Court on any date without having been previously fixed for it; entries in this column will be made only on the day on which such suits or proceedings come before the Court, and not before. Entries in column 4 are to be made whenever a case already entered in columns 2, 3 and 5 is called on for hearing and adjourned for any cause whatever to a subsequent day.

iii. Cases should be entered by their number and year, and the entries in columns 2, 3 and 4 of cases which are actually brought before the Court otherwise than to be formally adjourned to another date, are to be marked with a pen, thus “✓. 128 of 1878.”

B.—The ROZNÁMA or DIARY in Form LXXXVIII at page 252.

i. The object of this book is to show in a concise form the proceedings taken in each suit or miscellaneous matter, with the date of each proceeding. It is to be a faithful history of the case, and a correct list and description of the exhibits; and at the same time it should be so drawn up as to show all the details of the case at one view, and yet be as concise as possible.

ii. It must be kept *from day to day as an original document without any preparatory tipan* by the sheristedár or kárkún in attendance on the Judge or Subordinate Judge, and must always remain with the record of the suit or miscellaneous matter. ~~Each day's entry~~

The following Circular and Forms are to be substituted for Circular No. 70 A and Form No. LXXXVII, printed at pages 40 and 249 to 251, respectively, of the High Court Civil Circular Order Book :—

70. The following books are to be kept :—

A. Memorandum Book. (Forms LXXXVII, A-1, A-2, A-3, at pages 249 to 251.)

I. A-1. This form, to be kept by all District Judges (including Joint and Assistant Judges), should contain on one page the following heading and columns :

Heading : Day of week and date.

Columns :

1. Sessions cases and Criminal appeals and applications.
2. Original suits and Civil applications.
3. Regular and miscellaneous appeals.
4. Any suit or proceeding coming before the Court on this date and not entered in column 1, 2 or 3.

II. A-2. This form, to be kept by all Subordinate and Small Cause Court Judges, should contain on one page the following heading and columns :

Heading : Suits. Day of week and date.

Columns :

1. Suits fixed for final disposal.
2. Suits fixed for settlement of issues.
3. Adjourned hearings.
4. Suits coming before the Court on this date without having been previously fixed.

If the Subordinate Judge is invested with appellate powers appeals should be entered in columns 1 and 3.

III. A-3. Subordinate and Small Cause Court Judges should keep a separate Memorandum Book, A-3, for darkhasts and miscellaneous applications for which it is necessary to fix a date. This form should contain the following heading and columns :

Heading : Day of the week

Columns :

1. Fixed for first hearing.
2. Adjourned hearing.
3. Remarks.

IV. Every case entered in the list should be marked with the day in which the case is on the day in question and there marked with the mark 'A-1' if the case is simply to be adjourned, then the mark 'A-2' should be drawn through the entry.

V. Every suit and proceeding should be entered by its number and year.

VI. The object of these forms is twofold :

- (a) to show the presiding Judge what work is fixed for any particular day ;
- (b) to show an inspecting authority what work was done on any particular day.

VII. A-1 should be kept in English. A-2 and A-3 should be kept in Vernacular by the Karkun in charge of the duties of Sheristedar, unless the presiding Judge prefers that they should be kept in English.

(Vide *Bombay Government Gazette* for 1902, Part I, page 687).

~~ed in District Courts by the Clerk of the Court, and in
Courts by the Subordinate Judge.~~

entries made in the Form at page 252 are simply to act of the book, and are not to be considered binding plan on which they have been prepared is as follows:—

plaint being registered, or an application received, of the Form is filled in, and the plaint or application entered at once, together with such documents then be placed on the record.

the plaint has been admitted, and ordered to be registered, Court, under Section 68 of the Code of Civil Procedure, determines whether the summons to the defendant shall be for final disposal of the suit or settlement of issues. In the annexed Form the suit is set down for final disposal on 1st February, and notice issued to defendant. The plaintiff, therefore, must take steps to have his witnesses in attendance on that day; and he generally presents his petition for summonses to witnesses on some day (here made 11th January) soon after the plaint is filed (see Section 159 of the Code of Civil Procedure). The petition is recorded on that day, and summonses are issued to plaintiff's witnesses; this is duly entered in the Roznáma under the same day's proceedings. If the summonses are issued on a subsequent date, they should be entered on such date.

(c) The defendant receives the summons, say, on 13th January, and is thereby informed that the suit is set down for final disposal on 1st February. He must, therefore, take steps to have his witnesses (supposing that he wishes to contest the claim) in attendance on that day. He appears before the Court, say, the next day, 14th January, and presents his petition for summonses to witnesses; it is recorded that day, and summonses are issued to his witnesses, and duly numbered and entered on the date on which they are issued.

(d) It is now supposed that the defendant is about to dispose of his property, with a view to obstruct the plaintiff. The plaintiff, therefore, makes an application on 20th January, under Section 483 of the Code of Civil Procedure, for attachment before judgment. The further illustrations given are, it is hoped, so clear as not to require any explanation.

(e) The proceedings dated 20th and 22nd January and 10th February are not of very common occurrence; but as great differences in practice are found to exist with reference to such proceedings, they have been noted in the Form for guidance.

(f) No example of an application to raise an attachment placed on the defendant's property before judgment is entered in the Form, as such an application, not being between the parties to the suit, should form a separate matter requiring judicial enquiry, and have a separate *Roznáma*, and the papers connected therewith should be separately numbered, and recorded in the same manner as in the case of property attached in execution of a decree. But it should be stated in a foot-note to the *Roznáma* of the regular suit that such an application has been made, and also how it was disposed of, the papers connected therewith being kept as a separate accompaniment (*Potprakarn*) to the suit.

iv. The *Roznáma* should refer by letter or number to every document tendered in evidence, and admitted and recorded or rejected. (See Circular No. 14 above.)

v. At the end of the *Roznáma* of each case should be given an abstract showing the number of days each witness was obliged to attend or re-attend.

C.—The REGISTER OF MISCELLANEOUS WORK in Form LXXXIX at page 255.

All applications which require no judicial inquiry are to be entered in this book. Applications entered in it are not to be entered in the Inward and Outward Registers (*Barnishi*), which are for correspondence with the District Judge and other officers.

The several columns are to be filled in as follows :—

Col. 1. The date on which the application was presented.

Col. 2. The Court's consecutive number of the application.

Col. 3. Name of the applicant.

Col. 4. The subject of the application, to be stated as concisely as possible.

Col. 5. The orders passed thereon. If the report of the *Názir* or other officer of the Court be required, it should be so

mentioned, and the matter, when it again comes before the Court, should be re-entered, but solely by its number, in Col. 2 ; the date of the last previous entry, in Col. 3 ; and the final order in Col. 5 ; the date of the final order being noted in Col. 6 of the former entry.

Col. 6. Remarks, such as that mentioned in the explanation of Col. 5, or the like.

D.—The REGISTER OF MISCELLANEOUS APPLICATIONS in Form XC at page 256.

This book is intended only for petitions and applications requiring judicial investigation.

The following note is added to Circular No. 70 at page 43 of the High Court Civil Circulars :—

NOTE.—Applications made under Sections 87, 89 and 98 of the Transfer of Property Act in suits for foreclosure, sale or redemption should be treated in the Registers as Darkhasts (Applications for execution under Section 235, Civil Procedure Code), and entered in the Register of applications for execution of decrees. The results of the applications should also be noted in the Register of suits. (See *Government Gazette* for 1894, Part I, page 1086).

25th September, 1894.

To be added as para vi to Circular No 70 B at page 43 of the High Court Civil Circular Order Book.

vi. The name of the presiding Judge shall be noted at the commencement of each date in the *Venue Register* in every case. (Vide *Government Gazette* for 1891, Part I, page 2591).

B.

EXECUTION OF DECREES.

71. To prevent delay in executing processes, and to avoid postponements of attachments and sales consequent on the transfers of Subordinate Judges and the closing of their Courts at other times than during vacations and sanctioned holidays, the District Judge should, in the event of the death, suspension or temporary absence of

The following be added to Circular No. 72 at page 45 of the High Court's Civil Circulars :—

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“ Provided that if the application is made to a Court to which a copy of the decree has been sent under Section 224 of the Civil Procedure Code, it shall not be necessary to present a fresh copy with the application so long as the copy sent under Section 224 is available in that Court.” (Vide *Government Gazette* for 1893, Part I, page 697).

Bombay, 25th July, 1893.

to original suits.

74. In order to prevent the issue of process on a decree which has been already fully satisfied, the officer noting any application for execution in the register of the suit, as required by Section 245 of the Code of Civil Procedure, shall make the note before any process is issued on the application. He shall, at the same time examine any entries of previous applications and, if necessary, bring them to the notice of the Court.

75. In addition to the usual orders, endorsements and reports, each paper filed in an execution proceeding shall have endorsed on it the number under which it is entered in the Roznámá and the number of the application for execution. When the execution is completed, all the papers shall be placed with the Roznámá so as to form a complete case for record.

76. The words “a copy of any order for the execution of the decree” in Section 224 (c) of the Civil Procedure Code mean a copy of any subsisting order.

77. Copies of decrees referred to in Section 224 (a) of the Code of Civil Procedure should be stamped in accordance with Article 7 of Schedule I of the Court Fees Act.

78. When execution of a decree is stayed by a competent Court, the application for such execution should not be struck off the file, but adjourned pending the final order of the Court staying execution or the decision of a suit filed under Section 283 of the Code of Civil Procedure, if one is filed within the prescribed period of limitation.

79. Similarly, when a claim to possession of property is registered as a suit under Section 331 of the Civil Procedure Code, the application for execution is not to be struck off the file, but adjourned pending the decision of the suit.

80. * When at the time of passing a decree for land, or of confirming a sale of land in execution of a decree, there is a crop on the land, the plaintiff seeking possession under the decree or the auction-purchaser, as the case may be, shall be at liberty to take the crop at a valuation, to be made under the orders of the Court according to the value of the crop at such time, including any instalments of the Government assessment which the defendant may have paid for the current year.

81. * If the plaintiff or the auction-purchaser is unwilling to take the crop at such valuation, the execution of the decree or the delivery of possession to the purchaser shall be stayed until after the expiration of sufficient time for the crop to be gathered.

82. * If the crop is sown after the passing of the decree which is to be executed or the confirmation of the sale in execution, the plaintiff or auction-purchaser, as the case may be, shall take the crop on repaying to the defendant any instalments of assessment that he may have paid for the current year.

83. When the division or separation of a share of an undivided estate, paying revenue to Government, is made by the Collector under the orders of a Civil Court, in accordance with the provisions of Section 265 of the Code of Civil Procedure, the following fees shall be levied and included as costs in the case (in addition to those prescribed by notification, published in Circular No. 107 below) as remuneration for travelling expenses *bond fide* incurred by subordinates in the Revenue establishment employed on such division or separation of estate :—

* These three rules, which have been in force for several years, are retained for general guidance, but are not to be considered applicable to all cases.

For Clerks and Karkáns of Collectors for each day actually on tour.

Rate of salary per mensem.	Europeans and Eurasians.		Natives.	
	Rs.	a.	p.	Rs. a. p.
	Not exceeding			
On Rs. 100 and upwards	1	7	0	1 4 0
On Rs. 76 to less than Rs. 100	1	1	0	0 14 0
More than Rs. 50 to less than Rs. 76	0	13	0	0 10 0
On Rs. 30 to Rs. 50	0	10	0	0 8 0
Less than Rs. 30	0	8	0	0 6 0

For Mámlatdár Karkáns.

					Not exceeding
					Rs. a. p.
On Rs. 30 and upwards	...	...	...	...	0 7 0
On less than Rs. 30	...	...	...	...	0 5 0

For Peons.

Not to exceed one anna per diem.

*84. i. When a house of which possession is to be given in execution is found locked, notice shall be issued to the person bound by the decree and in possession of the house requiring him to unlock it within a given time. If on the day so appointed it is still locked, it may be broken open and given into the possession of the judgment-creditor.

ii. When there is property in a judgment-debtor's house of which a decree-holder or purchaser has been put in possession, it is for the decree-holder or purchaser to give notice to the owner, if he is known, to remove his goods, and if the owner fail to do so, to take such steps

To be added as Circular No. 85A at page 47 of the High Court Civil Circular Order Book.

85 A. Whenever guns or other arms in respect of which licenses have to be taken by purchasers under the Indian Arms Act, XI of 1878, are sold by public auction in execution of decrees, the Court directing the sale shall give due notice to the Magistrate of the District of the names and addresses of the purchasers

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The attaching officer should, at the request of the Patel (to be noted on the certificate) wait for not more than twenty-four hours to enable the Patel to get the certificate written.

87. When an estate yielding a periodical revenue, or the interest in any periodical payment, is attached, it is not necessary to file a fresh darkhást for each payment. The darkhást upon which the attachment is first made is sufficient to entitle the party to receive the periodical payment until the decree is satisfied.

88. Applications under Section 278 of the Civil Procedure Code for the removal of an attachment should be verified in the same manner as complaints.

89. As a rule, no sales in execution of decrees shall be fixed to take place on any day on which the Courts are closed under the provisions of the first and second paragraphs of Section 43 of Act XIV of 1869. The District Judge should give timely notice to all Subordinate Courts of the application made by him to the High Court under the second paragraph of the section for the adjournment of the Courts in the district for the annual vacation.

90. Under the provisions of Section 287 of the Code of Civil Procedure the High Court is pleased to make the following Rules for the guidance of the Courts in the Mofussil in cases in which decrees are not sent to the Collector under Section 320 of the same Code:—

i. Whenever, in execution of a decree, application shall have been made to any Court for the sale of moveable property attached otherwise than by prohibitory order, the Court may, if it think proper, make an enquiry as to the judgment-debtor's title to such property, but will not ordinarily do so, except on the application of some one interested. A list of all claims established in any enquiry held under this Rule shall be appended to the proclamation of sale in the Form A hereinafter given.

ii. Whenever, in execution of a decree, application shall have been made to any Court for the sale of immoveable property or of moveable property attached by prohibitory order, it will be the duty of the Court, before issuing a proclamation of sale, to make a preliminary enquiry with a view to ascertaining the encumbrances to which such property may be liable, and any other matters relating to such property which the Court may consider it material for purchasers to know, in order to judge of the nature and value

The following Circular to be substituted for Circular No. 90 at pages 43 to 58 of the High Court Civil Circular Order Book.

90. The following rules have been framed by the High Court under the provisions of Section 287 and Section 652 of the Code of Civil Procedure in supersession of those heretofore in force on the same subject.

I. When in execution of a decree not transferred to the Collector under Section 320 application is made for the sale of immoveable property, the applicant shall annex an affidavit made by himself or some other person acquainted with the facts containing the particulars, so far as they can be ascertained, required for entry under Section 287, in the proclamation of sale.

II. If it can be done without unreasonable delay, the Court shall examine the judgment-debtor or some person acquainted with the circumstances as to his interest in the property and especially as to his share therein, if he is a Hindu, and as to the incumbrances, if any, existing thereon.

III. The Court may require the judgment-debtor to produce any title-deeds relating to the property which may be in his possession or power and may retain such documents till the property is sold or released from attachment. It shall with the certificate of sale deliver to the purchaser such of them as relate solely to the property sold and on his demand and at his cost shall give him copies of such of them as relate to the property sold as well as other property. It shall return all documents which may not under this rule be delivered to the purchaser to the person by whom or on whose behalf they shall have been produced.

When any incumbrance on the property shall be discharged from the sale proceeds, the Court shall have like power to direct the production of title-deeds by the incumbrancer and to deliver them to the purchaser or to furnish him with copies thereof and to return them.

IV. The Court shall give notice on the board of the date on which it proposes to hold an enquiry under Section 287 and may summon any person likely to afford material information to attend and give evidence and produce any documents relating to the property which may be in his possession or control. Such

documents shall be returned after inspection, the Court retaining copies, if it thinks necessary, prepared at the applicant's expense.

V. All costs of the enquiry shall be advanced by the applicant. They shall be treated as costs in the execution proceedings and may be apportioned as the Court thinks fit.

VI. It shall be borne in mind that the enquiry under Section 287 is independent of any enquiry consequent on an application made under Section 278, Civil Procedure Code. The object of the enquiry under Section 287 is merely to collect particulars to be inserted in the proclamation for the information of intending purchasers. The conclusions arrived at in this enquiry are not subject to appeal and, as a rule, are not determinative between the parties.

VII. The enquiry shall be completed as soon as possible. When it is finished, the proclamation of sale shall be prepared in the form prescribed in Rule XV. If in the case of a Hindu judgment-debtor it is desired to sell the interest of any other member of the family (e. g. that of a minor son or brother), the name of such member and the fact that his interest is being sold must be stated in the proclamation as otherwise his interest will not pass to the purchaser. To the proclamation shall be appended a list in Form A of all claims for which, in the opinion of the Court, there is a reasonable and probable cause—such as claims of co-parceners, or reversioners in the case of Hindu females, or mortgagees, or tenants &c. The list may be varied as occasion requires.

VIII. When a copy of the proclamation is sent to the Collector under Section 289, a duplicate shall also be sent to the Mamlatdar of each Taluka in which any portion of the property is situated. The Mamlatdar shall post such copy in his kacheri in a conspicuous place.

IX. If after the proclamation has been settled any matter is brought to the notice of the Court which it considers material for purchasers to know, it shall cause the same to be notified when the property is put up for sale.

X. So much of the foregoing rules as may be applicable shall be followed in case of application to sell moveable property attached by prohibitory order so that the description of such property may be as complete as possible.

XI. In the case of other moveables, the Court may make such inquiries as it thinks proper but shall not be bound to do so unless application is made to raise the attachment or to declare a lien.

XII. It shall not be necessary to sell at the same time or place moveable and immoveable property attached in execution of the same decree.

XIII. As respects all sales of immoveable property the Court in fixing the place of sale shall consult the wishes of the parties, preference being given to those of the judgment-debtor. In the absence of agreement by the parties as to the place of sale, the sale shall ordinarily be held where the property is situated, unless the Court is of opinion that it is likely to fetch more if sold at the Court House.

XIV. All sales held at the Court House shall be conducted by a responsible officer and shall take place on a fixed day of the week* which the Court shall make generally known. Care should be taken correctly to specify in the proclamation the time and place of sale subject to the provisions of Section 290.

XV. The following is the form of proclamation of sale subject to such variations as special circumstances may require.

Court of (full designation).

Original Suit No.	of	
Appeal	„ „	in the Court of
Appeal	„ „	in the High Court.
Plaintiff		Defendant

* *When there is a weekly bazar it will probably be found most convenient to fix on the bazar day for these weekly sales.*

for giving effect to the said decree by sale of property, notice is hereby given that on the day of at o'clock A. M., A.B., Nazir of this Court [or other person appointed], will at in Taluka in the District sell by auction, to the highest bidder and without reserve, the right, title and interest of the said in the several articles of moveable and immoveable property hereunder specified.

1	2	3	4	5	6
Lot No.	No and Description of articles.	Where attached.	Where now placed.	When to be viewed.	Whether any claim has been set up to the lot [included in the annexed List (with a reference thereto)].

Immoveable Property.

1	2	3	4	5	6	7	8
Lot No.	Description of lot, including local situation, supposed or estimated rent or annual value, and, if leased, for how long, on what terms, and to whom.	Survey No., Municipal No., or other fiscal designation.	Government Revenue including Local Cess, any other known fiscal charge resting on the lot.	Present occupant, if known.	Mortgage or lien subject to which attachment has been continued and sale is to be made under Sections 282 and 295 of the Code of Civil Procedure.	Right, charges and claims to which the lot is supposed to be liable after inquiry under Section 287 of the Code of Civil Procedure and Rules made thereunder by High Court with reference to annexed list.	List of claims to raise attachment rejected wholly or in part under Section 278 of the Code of Civil Procedure.

Claims touching the Moveable Property.
 (Add list of claims, Form A).

Form A.

1	2	3	4	5	6	7	8	9	10
Name of Claimant.	Numbers of lots and description of property attached, in which an interest is claimed.	Nature and amount or money value of claim.	Documents, if any, by which such claim is supported. (Note.—In this column are to be entered the names of persons by whom and in whose favour each document was executed, and the amount of any sum as a charge, or as mortgage money, or consideration, set forth in the document).	Date of execution and of registration of each document. (Note.—As to the documents which have not been registered, a remark to that effect is to be entered in this column).	Whether the claim advanced, or any, and what part thereof, is admitted or denied by the judgment debtor and by the judgment-creditor.	Documents adduced by judgment-debtor with reference to said claim.	Date of execution and registration of the same.	Documents adduced by judgment-creditor or with reference to such claim.	Dates of execution and registration of the same.

Claims touching the Immoveable Property.

(Add list of claims, Form A).

(b) Intimation is given that in setting forth, as above, the several lots proposed to be sold, the Court does not warrant the correctness of the descriptions severally given of the same; and that with respect to the descriptions given of the interest supposed to be held in the same by the same judgment-debtor or any person, the Court does not warrant the title of the said judgment-debtor or any other above-mentioned claimant to any such lot or any interest therein or charge or claim thereon.

(c) Should the said have no saleable interest whatever in any lot of immoveable property to be sold in accordance with this proclamation, any sum paid by the purchaser by way of full or part payment for the same, will, under the provision of Sections 313 and 315 of the Code of Civil Procedure, be repayable to the purchaser.

Where there is no immoveable property to be sold, paragraph (c) should be omitted from the proclamation of sale.

(d). It will be within the discretion of the said A.B. conducting the sale to subdivide, or to combine any of the lots of the moveable property, and, with the permission of the Court, of the immoveable property above specified, if this should to him seem expedient as likely to increase their aggregate vendible value. He may also adjourn the sale at any stage thereof * (with permission of the Court).

* The words in brackets to be added when the sale is held at or in the precincts of the Court.

(e). The abovementioned [judgment-creditor] is not authorized unless with the express permission of the Court previously obtained, to bid at the sale under Section 294 of the Code of Civil Procedure.

(f). The price of each lot of moveable property will be payable forthwith upon its sale, which sale, on such payment, will become absolute.

(g). Of the price of each lot of immoveable property, one-fourth shall be paid forthwith when the lot is knocked down to a purchaser. The remainder of the purchase-money must be paid,

in each case, by the purchaser, into the hands of
 at on or before the day of or within
 15 days of the actual sale.

(h). The sale of the several lots of immoveable property will not become absolute till confirmed by the Court under Section 314 of the Code of Civil Procedure.

(i). In default of payment in whole or in part, as above prescribed, any sum paid by way of deposit will be forfeited to the Government, and the lot will be sold free from any interest therein, or in the proceeds thereof of the prior purchaser. The deficiency of price by reason of a purchaser's default, and all expenses attending the re-sale will be recoverable from the defaulter under Section 293 of the Code of Civil Procedure.

(j). A co-sharer of the said [judgment-debtor] in any lot bidding for the same a sum equal to that offered by another bidder, will have a preference as purchaser under Section 310 of the Code of Civil Procedure only, if he state at the time of bidding that he is such co-sharer, and in what right he asserts that he is entitled to a share.

(k). Judgment-creditors of the above-named other than the above-named who shall have applied to the Court for execution of their decrees before the realization of the assets arising from the sale above advertised, and such creditors only will, if they have not obtained satisfaction, be entitled to share rateably in the distribution of the said assets after deduction of the costs of realization under Section 295 of the Code of Civil Procedure.

(l). No interest of any son, brother or other co-parcener of the said (judgment-debtor) shall pass unless hereinbefore by name expressly specified for sale.

Given under my hand and the seal of the Court this day
 of 19 .

Seal

Judge.

(Vide *Bombay Government Gazette* for 1901, Part I, pages 2581 to 2584),

of the property. This enquiry is to be made in the manner hereunder prescribed, and in addition to the investigation directed by Section 278 of the Code into claims made under that section to property attached or whereby it is sought to raise an attachment.

(1) The Court shall, when his attendance can conveniently be procured, summon the judgment-debtor, and examine him as to the interest which he has in any such property, and as to the existence of other interests by way of co-ownership, mortgage, or other encumbrances or claims, to which the property may be liable (see Form No. XXVII at page 197).

(2) The judgment-debtor is to be required to produce all title-deeds and other documents affecting such property, which may be in his possession or in his power. These are to be retained in the Court until the sale is confirmed or finally disallowed, and shall then be handed over to the person whom the Court may then regard as entitled to the immediate possession of the same, without prejudice to the rights (if any) of any other persons thereto.

(3) Notice is to be posted up in the Court of the day fixed for the examination aforesaid, which may or may not, in the discretion of the Court, be the same as the day fixed under the public notice hereunder prescribed, and the judgment-creditor, if present in person or by pleader, may question the judgment-debtor on any matter relevant to the inquiry herein directed (see Form No. XXVIII at page 198).

(4) Should it from information derived from the judgment-debtor, or any other source, appear to the Court to be expedient, the Court may direct special notices to be served on any persons whose presence at any enquiry into the interests existing in such property it may seem desirable to obtain, and who are not likely to appear voluntarily. Such persons may be required to produce and submit for the perusal of the Court any documents in their power affecting, or supposed to affect, such property, and may be examined concerning them, and as to other matters material to the enquiry; but such documents shall not, without a special order, the reasons for which are to be recorded, be handed for perusal to any other person than the Judge and his clerk, reader, or interpreter, and they shall, at the end of the particular enquiry to which they relate, be restored to the persons who have produced them, with an endorsement on each of the number of the inquiry, the date of

presentation and of delivery of the document, and the name of the person to whom delivered (see Form No. XXVII at page 197).

(5) In every case when such property has been attached, the Court shall forthwith cause a copy of the prohibitory order to be published by posting up such copy in the Court-house, and, where there is no nearer convenient or conspicuous place, in the chávdi, or other public place, of the town or village where the property has been attached; and in every case in which any such property is to be sold in execution of a decree for sale in a suit by a mortgagee or person entitled to a lien, the Court shall forthwith cause to be similarly published a copy of such decree, to which shall be appended a schedule specifying the property to be sold (see Form XXIX at page 198).

(6) To the copy of the prohibitory order or decree and schedule thus published, shall be appended a notice as follows:—

(a) Notice is hereby given to all persons having rights in, or charges or claims on, the abovenamed property, or any part thereof, that they should on or before the _____ day of _____ lodge in this Court a statement verified on oath or solemn affirmation, of the right, interest or claim in each such instance set up.

(b) When any such statement as aforesaid is lodged in the Court, a notice of the same will be affixed to the notice board, and on the _____ day of _____ 18 _____ aforesaid, the Court will proceed to an investigation of the rights, charges and claims of which statements shall before that date have been lodged (see Form No. XXX at page 199).

*(c) In the case of any claim involving an objection to the attachment or seeking the removal of the same, application must be made for notice to be served on the attaching creditor, the said _____, and such notice having been duly served, or the said _____ being present on the said _____ day of _____, the Court will investigate the claim according to the provisions of Section 278 and the following sections of the Code of Civil Procedure. All persons interested in supporting or resisting any such claim should accordingly be

* In cases in which the property has not been attached, but is to be sold in execution of a decree for sale in a suit by a mortgagee or person entitled to a lien, paragraph (c) and the words printed in italics in paragraph (d) will be omitted from the notice.

present on the said day of with
such evidence as they may desire to produce in support of their
several contentions.

(d) In the case of any claim,* *not involving an objection to the attachment, but* asking that the sale or other disposal of the property aforesaid may be made with intimation to the parties concerned of the right or interest set up by the claimant, notice of the claim will, in each case, be given along with the proclamation of sale, if on a summary enquiry to be made on the
day of aforesaid, reasonable and probable
cause shall appear for the same.

(e) Persons interested are cautioned that, in the event of their omitting, in compliance with the above notice, to lodge statements of their claims upon the property aforesaid, or having reference to the same, or of their failing to attend on the

day of to maintain the same, such omission or failure may be taken into consideration upon any future occasion on which such claims, or other claims of a like nature advanced by them with relation to the same property shall be under investigation. And all persons are cautioned that if any false statement be lodged, or unfounded claim be made, or if any fabricated document or other false evidence be adduced in support of or resistance to any such claim as aforesaid, the person making or producing the same will be subject to the provisions of the criminal and the civil law in each case applicable according to the circumstances.

Given under my hand and the seal of the Court this
day of 18 .

Seal.

Judge.

(7) Upon the day fixed by the above notice the Judge shall proceed to deal with the several claims brought forward relating to the property proposed to be sold, investigating those of which the

* In cases in which the property has not been attached, but is to be sold in execution of a decree for sale in a suit by a mortgagee or person entitled to a lien, paragraph (c) and the words printed in italics in paragraph (d) will be omitted from the notice.

object is to raise an attachment, notice whereof will have been given to the attaching creditor according to Form No. 144 of Schedule IV, in the manner prescribed by the appropriate sections of the Code of Civil Procedure. In the case of claims to a share or interest in the property, as joint family estate, or as liable to a mortgage or charge of any kind subject to which it is averred that the sale or other disposal of the property ought to be made, the Judge shall, after a perusal of the documents by which such claim is supported and resisted, and after taking such oral evidence, and hearing such arguments, as shall seem expedient, determine summarily whether in the list of claims to be appended to the proclamation of sale the title, interest or claim, in each instance set up, shall be included or not, according as a *prima facie* case of an honest and substantial right or interest shall, in his opinion, have been made out or not.

(8) A list of all claims, for which a reasonable and probable cause shall appear, shall be drawn up and appended to the proclamation of the intended sale. Such list is to be drawn up according to the Form A hereunder given, with such variations only as the particular case may require :—

Form A.

1	2	3	4	5	6	7	8	9	10
Name of Claimant.	Numbers of lots and description of property attached, in which an interest is claimed.	Nature and amount or money value of claim.	Documents, if any, by which such claim is supported. (<i>Note</i> .—In this column are to be entered the names of persons by whom and in whose favour each document was executed, and the amount of any sum as a charge, or as mortgage money, or consideration, set forth in the document.)	Date of execution and of registration of each document. (<i>Note</i> .—As to the documents which have not been registered, a remark to that effect is to be entered in this column.)	Whether the claim advanced, or any and what part thereof, is admitted or denied by the judgment-debtor and by the judgment-creditor.	Documents adduced by judgment-debtor with reference to said claim.	Date of execution and registration of the same.	Documents adduced by judgment-creditor or with reference to such claim.	Dates of execution and registration of the same.

(9) The list above prescribed is to be prepared in accordance with the result of the enquiries made by the Judge, and on the completion of the sale, or at any time after the enquiry into each claim is completed, should no cause appear for the detention of the documents of title presented to the Court in support of, or resistance to, such claim, the said documents shall be returned on application to the persons who presented them, with an endorsement on each, of the number of the enquiry, the date of presentation, and the date of return of the document.

(10) Statements of claims lodged in pursuance of the notice from the Court, written statements received in opposition to the same, and memoranda of evidence, and other matters connected with the inquiry shall be recorded by the Court along with the proceedings in execution.

(11) With a view more effectually to carry out the enquiry above directed, the Court may summon the judgment-debtor, and examine him on oath, or solemn affirmation, as to the authenticity of the several claims, if any, set up to the property. It may also summon and examine in like manner the judgment-creditor and any other persons who, it may appear probable, can give material evidence bearing on any enquiry to be made by it. Such persons are to be summoned as directed in paragraph (4) of these Rules (see Form No. XXVII at page 197).

iii. The several proceedings above referred to are to be held, in the first instance, at the cost of the judgment-creditor, or of the person in each case instituting them, or in whose interest the enquiry is held. At the close of each enquiry, the Judge will determine, as may be just, by whom the costs, or any portion thereof, of such enquiry are to be borne, and will give such directions as may be proper for the recovery of the same.

iv. No appeal lies from any order made as to the inclusion or non-inclusion, in the list above prescribed, of any particular claim with relation to property proposed to be sold.

v. The proclamation of intended sale in execution of a decree shall be in the form following, with such variations only as the circumstances of the particular case shall make necessary or expedient :—

Court of (full designation).

Original Suit No. of
 Appeal „ „ in the Court of
 Appeal „ „ in the High Court.
 Plaintiff Defendant

(a) In execution of a decree of Court in the above
 case dated the day of , in virtue whereof

a sum of was adjudged to be
 * This to be expressed in payable by* the said unto
 accordance with the decree the said , and of a warrant
 in course of execution. dated the day of

for giving effect to the said decree by sale of property, notice is
 hereby given that on the day of at o'clock
 A.M., A.B., Názir of this Court [or other person appointed],
 will at in Táluka in the District sell by auction, to
 the highest bidder and without reserve, the right, title and
 interest of the said in the several articles of moveable
 and immoveable property hereunder specified, and every power
 of disposing of the same, or any of them, or of the profits
 arising therefrom, which the said may now, consistently
 with the law, exercise for his own benefit.

Moveable Property.

1	2	3	4	5	6
Lot No.	No. and Description of articles.	Where attached.	Wherenow placed.	When to be viewed.	Whether any claim has been set up to the lot [included in the annexed List (with a reference thereto)].

Immoveable Property.

1	2	3	4	5	6	7	8
Lot No.	Description of lot, including local situation, supposed or estimated rent or annual value, and, if leased, for how long, on what terms, and to whom.	Survey No., Municipal No., or other fiscal designation.	Government Revenue including Local Cess, any other known fiscal charge resting on the lot.	Present occupant, if known.	Mortgage or lien subject to which attachment has been continued and sale is to be made under Sections 282 and 285 of the Code of Civil Procedure.	Right, charges, and claims to which the lot is supposed to be liable after inquiry under Section 287 of Code of Civil Procedure and Rules made thereunder by High Court with reference to annexed list.	List of claims to raise attachment rejected wholly or in part under Section 278 of the Code of Civil Procedure.

Claims touching the Moveable Property.

(Add list of claims, Form A).

Claims touching the Immoveable Property.

(Add list of claims, Form A).

(b) Intimation is given that, in setting forth, as above, the several lots proposed to be sold, the Court does not warrant the correctness of the descriptions severally given of the same; and that with respect to the descriptions given of the interest supposed to be held in the same by the said judgment-debtor or any person, the Court does not warrant the title of the said judgment-debtor or any other above-mentioned claimant to any such lot or any interest therein or charge or claim thereon.

(c) Should the said _____ have no saleable interest whatever in any lot of immoveable property to be sold in accordance

Where there is no immoveable property to be sold, paragraph (c) should be omitted from the proclamation of sale.

able to the purchaser.

with this proclamation, any sum paid by the purchaser by way of full or part payment for the same will, under the provision of Sections 313 and 315 of the Code of Civil Procedure, be repay-

(d) It will be within the discretion of the said *A.B.* conducting the sale to subdivide, or to combine any of the lots of the moveable property, and, with the permission of the Court, of

* The words in brackets to be added when the sale is held at or in the precincts of the Court.

the immoveable property above specified, if this should to him seem expedient as likely to increase their aggregate vendible value. He may also adjourn the sale at any stage thereof*

(with permission of the Court).

(e) The abovementioned [judgment-creditor] has not, unless with the express permission of the Court previously obtained, permission to bid at the sale under Section 294 of the Code of Civil Procedure.

(f) The price of each lot of moveable property will be payable forthwith upon its sale, which sale, on such payment, will become absolute.

(g) Of the price of each lot of immoveable property, one-fourth shall be paid forthwith when the lot is knocked down to a purchaser. The remainder of the purchase-money must be paid, in each case, by the purchaser, into the hands of
at on or before the day of or within
15 days of the actual sale.

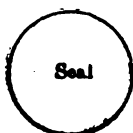
(h) The sale of the several lots of immoveable property will not become absolute till confirmed by the Court under Section 314 of the Code of Civil Procedure.

(i) In default of payment in whole or in part, as above prescribed, any sum paid by way of deposit will be forfeited to the Government, and the lot will be sold free from any interest therein, or in the proceeds thereof of the prior purchaser. The deficiency of price by reason of a purchaser's default, and all expenses attending the re-sale will be recoverable from the defaulter under Section 293 of the Code of Civil Procedure.

(j) A co-sharer of the said [judgment-debtor] in any lot bidding for the same a sum equal to that offered by another bidder, will have a preference as purchaser under Section 310 of the Code of Civil Procedure only, if he state at the time of bidding that he is such co-sharer, and in what right he asserts that he is entitled to a share.

(k) Judgment-creditors of the above-named other than the above-named who shall have applied to the Court for execution of their decrees before the realization of the assets arising from the sale above advertised, and such creditors only will, if they have not obtained satisfaction, be entitled to share rateably in the distribution of the said assets after deduction of the costs of realization under Section 295 of the Code of Civil Procedure.

Given under my hand and the Seal of the Court this
day of 18 .



Judge.

vi. When lands paying revenue to Government form the subject of a sale in execution of a decree, a duplicate of the copy of the proclamation of sale sent to the Collector under Section 289 of the Civil Procedure Code, should be sent to the Mámlatdár in whose táluka the lands to be sold are situated. The Mámlatdár will peruse the same, and post it in his kacheri in a conspicuous place.

If the lands be in more than one táluka, a copy of the proclamation should be sent to the Mámlatdár of each táluka.

vii. It shall not be necessary in any case that moveable and immoveable property attached in execution of the same decree shall be sold at the same time. If moveable property only is to be sold, the words in the foregoing form relating only to immoveable property are to be omitted: if only immoveable property is to be sold, the words relating only to moveable property are to be omitted.

viii. As respects all sales of immoveable property, the Court, in fixing the place of sale, should consult the wishes of the parties, a preference being given to those of the judgment-debtor. In the absence of any expression of a desire on the subject by the parties, the sale should be held where the property is situated, except in cases in which, in the opinion of the Court, some particular advantage is to be obtained by holding it at the Court-house.

ix. All such sales, when held at the Court-house should be conducted by some responsible officer of the Court, and should take

place on some fixed day of each week,* which the Court should make generally known. Care should be taken that the time and place be correctly specified in the proclamation of the intended sale, and that the sale do not take place till at least thirty days in the case of immoveable property, and in case of moveable property till at least fifteen days after its notification, without the consent in writing of the judgment-debtor (Civil Procedure Code, Section 290).

x. Sales cannot, in accordance with the foregoing rules, be made provisionally and subject to a re-opening at another time of the bid-dings for all or any of the lots disposed of, except as to immoveable property, in the event of the Court's declining, under Section 314, to confirm the sale of any lot.

xi. The hypothecation of moveable property, as distinguished from pledge, not being recognized by the English Common Law, nor by the ordinary Hindu Law, cases of attachment with a view to sale of moveable property will not, in general, be affected by the above rules. If in any case a local custom has been recognized, giving effect to hypothecation of moveable property apart from pledge, applications based on such custom must be left to be disposed of according to circumstances and the law, on the motion of the parties concerned.

91. Whenever the lands of a minor have been placed in charge of the Collector, although the law does not require it, yet for the protection of the interests of the minor it is proper that notice of an intended sale should be given to the Collector, being either delivered to him or sent registered by post.

92. The rules given in Circular No. 83 are applicable in the case of sales of land when conducted by the Collector under the provisions of Section 286 of the Code of Civil Procedure.

93. In the certificate of sale, Form No. 150 of Schedule IV of the Code of Civil Procedure, the amount for which the property was sold shall invariably be specified.

94. The Civil Procedure Code, Section 316, requires that such certificates should bear the date of the confirmation of the sale, and

* When there is a weekly bazar it will probably be found most convenient to fix on the bazar day for these weekly sales.

It is also desirable that sales of moveable property should be fixed for the same day, except when this will cause some special inconvenience.

59 to 64 of the High Court Civil Circulars should be
omitted leaving the blank margin intact, and these pages
should be inserted by pasting them into the book as the
margins of the pages cut out.

As, however, it may sometimes be important that the Court, before which such a certificate may afterwards come, should know the date on which it was actually applied for and granted, the date of application for the certificate, and the date on which the certificate was granted to the applicant, should be entered either at the top, or at the foot, of the document.

95. It is not necessary to keep an office copy of certificates of sale issued under Section 316 of the Code of Civil Procedure, the copy of the proclamation of sale recorded in the proceedings of the application for execution being sufficient to show what has been sold.

On the date on which the certificate is issued, an entry shall be made in the Roznáma and also in the Register of applications for execution of the fact of its having been issued.

No fee shall be charged for the writing of sale certificates.

96. The following Resolutions of Government are republished for information as amended by subsequent Resolutions :—

Bombay Castle, 24th January 1880.

No. 499.—In all cases in which, under the provisions of paragraph 1 of Section 320 of the Code of Civil Procedure, the execution of certain decrees has been, or may hereafter be, transferred to the Collector, the Governor in Council is pleased, in exercise of the powers conferred by paragraph 2 of the aforesaid section, and in supersession of the rules published under date the 16th December, 1878, to prescribe the following rules for the transmission of such decrees from the Court to the Collector, and for regulating the procedure of the Collector and his subordinates in executing the same and for re-transmitting the said decrees from the Collector to the Court,* namely :—

1. If the Court shall be satisfied that the decree is one to which this notification applies, it shall cause a copy thereof to be forwarded

* The Governor of Bombay in Council is (also) pleased to declare that, inasmuch as doubts have arisen whether a notification published under the provisions of Section 320 of the Civil Procedure Code affects the execution of decrees by the Courts of Jāghirdārs empowered under Regulation XIII of 1830 to execute their own decrees, such notification is not to be deemed to extend to the decrees of Jāghirdārs invested with jurisdiction under Regulation XIII of 1830. (Added—See Government Gazette for 1882, page 557.)

to the Collector by post, or in such other manner as shall be most convenient.

2. Along with the said copy, the Court shall send—

- (a) A copy of the judgment, if any, of the Court which passed the decree ;
- (b) If the decree is that of an Appellate Court, a copy of the judgment of the Court which tried the suit originally, and when there has been a special or second appeal, a copy of the judgment of the first Appellate Court ;
- (c) A statement showing the extent, if any, to which the decree has been already executed, and clearly setting forth the portion of the decree still remains to be satisfied ;
- (d) A copy of the application for execution of the decree, and of the order, if any, made thereon for sale.

3. The aforesaid documents shall be prepared and transmitted to the Collector, free of all cost to the parties ; the copies, &c., prepared by the Court's establishment.

4. On receipt of the decree and of the other documents mentioned in Rule 2, the Collector may either proceed to execute it himself, or may refer it for execution, subject to his supervision and control, to any of his subordinates not lower in rank than a Mahalkari.

5. The Collector, or the officer to whom the Collector sends the decree, shall, without delay, appoint a day for hearing any representations which the parties, or any of them, may desire to make, as to the manner in which the decree should be executed, and shall cause a written notice to be served on each of the parties to the decree of the day so fixed, and shall also require the judgment-debtor to produce all title-deeds and other documents affecting the property in question which may be in his possession or power ; and shall, after such enquiry as he considers necessary, proceed according to the methods prescribed by Sections 321 to 325C of the Civil Procedure Code, as may be appropriate to the nature of the case.

6. The Collector, or other officer aforesaid, may, from time to time, by similar written notices require the attendance of the parties to the decree, or any of them, for the purpose of ascertaining their wishes, or of obtaining any information which he may consider necessary to enable him to provide satisfactorily for the execution of

the decree; and if any party does not attend, in pursuance of any such notice, the Collector, or other officer aforesaid, shall decide the afterwards be entitled to be *Government Gazette* for 1880,

tice which the Collector shall Civil Procedure to the judgment-debtor, shall be served in the manner prescribed upon the pleader, if any, addressed.

ese rules shall be served in the Bombay Land Revenue Code (Section 358).

, or other officer aforesaid, shall decree, or of the management of the judgment-debtor, shall be signed by him; and a diary in the language of the district, in conformity with the instructions of the Court's Civil Circulars.

any property the Collector, or other officer aforesaid, shall, unless he has already proceeded under Section 322A or 322C, publish a notice in the language of the district, calling upon all persons having rights in, or charges or claims on, the said property, or any part thereof, to submit on or before a date which shall be named in such notice, and which shall not be less than six weeks after the date of such notice, a statement of the right, charge or interest claimed, and to produce the documents, if any, on which such claims are based.

Such notice shall be published in the manner prescribed for the notice to be issued by the Collector under Section 322A of the Code of Civil Procedure.

10. If in the opinion of the Collector, or other officer aforesaid, any statement, so produced, is not sufficiently precise or clear; or if it shall appear to the Collector, or such other officer, that all the documents in the claimant's possession or power, relating to the

property to be sold, have not been produced, he may refuse to receive such statement, and may give or may not give, as he deems fit, time for the production of a fresh statement.

The Collector, or other officer aforesaid, shall peruse the documents of title which any such claimant produces; but such documents shall not, without a special order, the reasons for which must be recorded, be handed for perusal to any other person than the Collector or other officer aforesaid, and his clerk, reader or interpreter; and they shall, after such perusal, be restored to the persons who have produced them, with an endorsement signed by the Collector or other officer aforesaid on each, of the date on which and the purpose for which they were presented, and of the date of return and of the person to whom they are returned (*Bombay Government Gazette* for 1880, Part 1, pages 96 and 97).

11. Every sale of property shall be held before the Collector or other officer aforesaid or before any revenue officer not lower in rank than a Mámlatdár's first Kárkún specially nominated by the Collector or other officer aforesaid in this behalf.

Except as is otherwise provided by the Code of Civil Procedure, every such sale shall be proclaimed and held in the manner prescribed by the rules for the time being in force relating to the sale of immoveable property in realization of arrears of land revenue.

Every proclamation of any such sale shall contain, in addition to the particulars required by the said rules,—

- (a). A list of all claims of which statements have been drawn up under Section 322B or Section 322C, or have been duly submitted and accepted by the Collector or other officer aforesaid under No. 10 of these rules, and which shall appear to the Collector or such other officer to be *prima facie* honest and reasonable.
- (b). A caution that no guarantee is given either of the judgment-debtor's title or of the validity of any of the rights, charges or interest claimed by third parties. (Substituted—See *Government Gazette* for 1883, page 358).

12. The Collector, or other officer aforesaid, shall retain the title-deeds and other documents produced by the judgment-debtor under Rule 5; and if the whole of the property to which they relate is sold

shall hand them over to the purchaser (*Bombay Government Gazette* for 1880, Part I, pages 96 and 97).

12A. No holder of a decree in execution of which property is sold shall, without the express permission of the Collector or other officer aforesaid, bid for or purchase the property.

**To be inserted as foot-note to the amended page 63
of the High Court Civil Circulars.**

Para. 2 of Rule 12A has been cancelled by Notification No. 2890 of 29th May 1890, published at page 510 of the *Bombay Government Gazette* for 1890, Pt. I.

8th July 1890.

said may, if he thinks fit, set aside the sale; and any deficiency of price which may happen on the re-sale, and all expenses attending it, shall be paid by the decree-holder. (Added—See *Government Gazette* for 1885, page 631).

13. When any sale has been finally completed, the Collector, or other officer aforesaid, shall give to the purchaser, a certificate of sale, as nearly as may be, in the Form No. 150 of Schedule IV of the Code of Civil Procedure.

14. When the property sold is in the occupancy of the judgment-debtor, or of any other person, and a certificate in respect thereof has been granted under the last preceding rule, the Collector or other officer aforesaid, shall, on application by the purchaser, order delivery to be made by putting the purchaser, or any person whom he may appoint to receive delivery on his behalf, in possession of the property; by proclaiming to the occupant by beat of drum, or in such other manner as may be customary, at some convenient place, that the interest of the judgment-debtor has been transferred to the purchaser; and, if need be, by removing any person who refuses to vacate the same.

15. When execution of the decree has been, as far as possible, completed, and the balance, if any, of all moneys which have come to his hands, disposed of in accordance with the provisions of Section 324 A of the Code of Civil Procedure, the Collector shall re-transmit the papers received by him under Rules 1 and 2, together with the execution proceedings, to the Court by post, or in such other manner as shall be most convenient. (*Bombay Government Gazette* for 1880, Part I, pages 96 and 97).

16. The following powers are conferred on Collectors or such of their gazetted subordinates to whom a decree has or may hereafter be referred under Rule 4 :—

(1). The power referred to in Section 294 of the Code of Civil Procedure to grant express permission to the holder of a decree, in execution of which property is sold, to bid for or purchase the property : Provided that the Collector or other officer aforesaid, to whom an application for such permission may be made shall not grant such permission, unless the decree-holder—

- (a) satisfies him that the application is made in good faith, and that the judgment-debtor is not a minor ;
- (b) undertakes that he will not himself or through any other person bid or purchase for a sum less than such amount as the Collector or other officer granting the permission, having regard to the fair market value of the interest to be sold, may determine, and that the permission shall be subject to this condition ;
- (c) agrees that if the decree-holder or any one on his behalf becomes the purchaser, the purchase-money shall be paid to the Collector or other officer executing the decree.

(2). The power referred to in paragraph 1 of Section 312, Civil Procedure Code, to pass an order confirming a sale if no application to set the sale aside has been made within the time limited by law,* or if every application so made has been disallowed.

17. If any application to set aside a sale be made within the time limited by law, to the Collector, or other officer aforesaid, he shall refer the applicant to the Civil Court. (Added—See Government Resolution, Judicial Department, No. 91, dated 8th January 1890).

Bombay Castle, 24th May 1880.

No. 3600.—In supersession of so much of Government Notification No. 7320 of 16th December 1878, (published at page 839 of the *Bombay Government Gazette* for 1878), as has not been already superseded by Government Notification No. 499 of 24th January, 1880 (published at page 96 of the *Bombay Government Gazette* of 1880), and in exercise of the power conferred by Section 320 of the Code of Civil Procedure, the Governor of Bombay in Council is pleased, with the previous sanction of the Governor General in

* Viz. 30 days from the date of the sale, Art. 166, XV, 1887.

Council, to declare that in the districts of Poona, Sholápur, Ahmednagar and Sátára, the execution of decrees ordering the sale of any immoveable property belonging to a person who is an agriculturist within the meaning of the Dekkhan Agriculturists' Relief Act, 1879, which has been specifically mortgaged for the re-payment of the debt to which any such decree relates, shall be transferred to the Collector: Provided that nothing herein contained shall be deemed to affect the execution of decrees already legally transferred to the Collector under the notification hereby superseded. And in further exercise of the said power, and with like sanction, the Governor of Bombay in Council is pleased to declare that in the districts of Násik, Khándesh, Kaládgi,* Ahmedabad, Kaira, Surat and Broach the execution of decrees shall, in the following cases, be transferred to the Collector (*viz.*) :—

- (1) Decrees for money in execution of which a Court has ordered the sale of immoveable property belonging to any person who earns his livelihood, either wholly or principally, by agriculture.
- (2) Decrees ordering the sale of immoveable property belonging to any such person in pursuance of a contract specifically affecting the same (*Bombay Government Gazette* for 1880, Part 1, page 519).

Bombay Castle, 24th July 1882.

No. 4520.—With reference to Notification No. 3600 of 24th May 1880 (published at page 519 of Part I of the *Bombay Government Gazette* of 3rd June 1880), and in exercise of the power conferred by Section 320 of the Civil Procedure Code, the Governor of Bombay in Council is pleased, with the sanction of the Governor General in Council, to declare that in the districts of Poona, Sholápur, Ahmednagar and Sátára, decrees for money passed prior to the first of November 1879, in execution of which a Court has ordered the sale of any immoveable property belonging to any person who is an agriculturist within the meaning of the Dekkhan Agriculturists' Relief Act, 1879 (as amended by Act XXIII of 1881), shall be transferred for execution to the Collector (Added—See *Government Gazette* for 1882, page 557).

~~public officer or railway servant is to be arrested~~
 In Circular No. 97 at page 64 A of the High Court Civil
 Circulars, expunge the words "or railway servant" from its first
 line. (*Vide Government Gazette* for 1896, Part I, page 313).

98. If at the moment of proposed arrest of any person under civil process he is engaged in the performance of public duties, his withdrawal from which would be attended with danger or manifest public inconvenience, the arresting officer should first acquaint the immediate superior of the employé about to be arrested or the person who has authority to find a substitute to perform the duties of such employé, and, if necessary, should defer arrest until such employé is relieved by another. A similar course should be pursued with regard to persons filling offices connected with the preservation of the peace. The expenses should be paid by the decree-holder and added to the sum levied in execution—(see Government Resolution Judicial Department, No. 456 of 23rd January 1879, and No. 50 of 26th January 1881, and No. 3337 of 27th June 1888.)

99. The following are the scales of monthly allowances at daily rates prescribed by Government for the subsistence of judgment debtors under Section 338 of the Civil Procedure Code :—

Europeans ... from Re. 1 to Re. 1-8.

Eurasians and Portuguese from As. 8 to Re. 1-0.

Others ... from As. 3 to As. 12.

In fixing the rate of subsistence allowance, the ruling prices of grain should always be considered (see Government Resolution Judicial Department, Nos. 6298 of the 12th October 1877 and 52 of the 26th January 1881).

100. In the case of a person arrested in execution of a decree and brought before the Court, and then released without being sent to the Civil Jail (in consequence of payment, or some compromise having been entered into between him and the opposite party), the money paid into Court for his subsistence, and unexpended, should be returned to the party paying it,—Section 16 of Bombay Act II of 1874 applying only to cases in which the debtor has actually been an inmate of the Civil Jail.

X 101. The payments made to the Court under paragraph 3 of Section 339 of the Civil Procedure Code, shall in future be always made to the proper officer of the Court on or before the 25th day of the month, and intimation of such payments shall immediately be made by such Court to the Názir of the District Court in charge of the Civil Jail.

See slip 101 DLE sec 339/565.

X Bombay Court Gazette No 1902

Part 2 page 655

C.

MISCELLANEOUS

The Honourable the Chief Justice and Judges are pleased to make the following amendment of Civil Circular No. 102 at page 65 of the Circular Order Book.

of the Circular Order
Notification of
Government Gazette of
ords and figures
4th April, 1888,
th April, 1888,
or 1891, Part I,

of the High
104F.

ress of officers
(other than a
approved by
ent Resolution
e 29th August

in the
1891) :—

1. An officer or soldier required to attend a Court in his official capacity should appear in uniform, with sword or side-arms. Attendance in an official capacity includes attendance—

(a)—as witness, when evidence has to be given of matters which came under the cognisance of the officer or soldier in his military capacity;

(b)—by an officer for the purpose of watching a case on behalf of a soldier or soldiers under his command.

2. An officer or soldier required to attend a Court otherwise than in his official capacity may appear either in plain clothes or uniform.

3. An officer or soldier shall not wear his sword or side-arms if he appears in the character of an accused person, or under military arrest, or if the presiding officer of the Court thinks it necessary to require the surrender of his arms, in which case a statement of the reasons for making the order shall be recorded by the presiding officer, and, if the military authorities so request, forwarded for the information of His Excellency the Commander-in-Chief.

4. Fire-arms shall under no circumstances be taken into Court. (*Vide Government Gazette* for 1891, Part I, pages 1044 and 1045).

17th November 1891.

98. If at the moment of proposed arrest of any person under civil process he is engaged in the performance of public duties, his withdrawal from which would be attended with danger or manifest public inconvenience, the arresting officer should first acquaint the immediate superior of the employé about to be arrested or the person who has authority to find a substitute to perform the duties of such employé, and, if necessary, should defer arrest until such employé is relieved by another. A similar course should be pursued with regard to persons filling offices connected with the preservation of the peace. ~~The expenses should be paid by the~~

To be inserted at page 64 B of the High Court Civil Circulars as Circular 98 A.

98 A. i. Whenever a Court has occasion to issue a warrant for the arrest of any person in the employment of a Railway Company, the Court shall enter in the warrant a direction to the bailiff or process server to whom it is entrusted for execution requiring him before making the arrest, if the person to be arrested is —
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The Honourable the Chief Justice and Judges are pleased to make the following amendment of Civil Circular No. 102 at page 65 of the Circular Order Book.

In Civil Circular No. 102 at page 65 of the Circular Order Book for the words and figures "Government Notification of 30th April, 1866, published in *Bombay Government Gazette* of 3rd May 1866, page 989" substitute the words and figures "Government Notification No. 2661 dated the 14th April, 1888, published in *Bombay Government Gazette* of 19th April, 1888, page 358, Part I,"—(see *Government Gazette* for 1891, Part I, page 226).

26th February 1891

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sits, and should give his evidence sitting.

103. All Sardárs or Native gentlemen of similar rank should stand while the affirmation or oath is being administered to them, and resume their seats immediately after.

104. The following Rules regarding the wearing of shoes are to be observed in all Courts of Justice in the Bombay Presidency :—

(a) All Natives of India attending Courts of Justice will be at liberty to conform, at their option, either to Native or to European custom.

(b) If they prefer the Native custom and wear Native shoes, they will be required to leave their shoes before stepping on the carpet, or before being sworn. If they adopt the European custom and wear European shoes, they will wear them in Court.

(c) Pársis should be always allowed to keep their shoes on when in the act of taking an oath.

105. The following Circular of the late Sadar Diváni Adálat is republished for information and guidance :—

TO THE JUDGES.

It having been brought to the notice of the Sadar Diváni Adálat that a practice very generally prevails of excluding from the Court-room all those classes of the community who come under the denomi-

nation of outcasts, whether appearing as parties to, or witnesses
in, a suit under trial, I have the honour, by direction of the Judges,

To be added at page 67 as Circular No. 72A.

72A. The party is not entitled to receive back the copy of the decree presented under Rule 72, until the application has been finally disposed of and the period of appeal has expired; after that it is within the discretion of the Court to return the copy or not, as it may deem proper.

The copy should be filed in the proceedings and numbered as an exhibit; and the costs in respect thereof are to be taxed as costs of the application. (See *Government Gazette* for 1890, Part I, p. 222.)

To be pasted on page 68 of the High Court Civil Circular Order Book as Circular No. 106C.

106C. By Government of India Notification No. 2181—I of 2nd July 1890 the Government of Bombay or any of its Secretaries are authorized to exercise with respect to the Princes and Chiefs* specified in that notification the functions assigned to the Government of India by Sub-sections (1), (2) and (3) of Section 433 of the Code of Civil Procedure.

* Kathiawar.

His Highness the Nawab of Junagad.

His Highness the Jam of Nawanagar.

His Highness the Thakur Sahab of Bhavnagar.

His Highness the Ran of Porbandar.

His Highness the Raj Sahab of Dhrangadra.

His Highness the Thakur Sahab of Morvi.

His Highness the Thakur Sahab of Gondal.

The Raj Sahab of Wankanir.

The Thakur Sahab of Palitana.

The Thakur Sahab of Dhrol.

The Thakur Sahab of Limri [Limdi].

The Thakur Sahab of Rajkot.

The Thakur Sahab of Wadhwan.

Mahi Kantha.

His Highness the Maharaja of Idar.

The Rao of P.

The Rana of Danta.

Rewa Kantha.

His Highness the Raja of Rajpipla.

The Raja of Chhota Udepur.

The Raja of Bariya.

The Raja of Lunavada.

The Nawab of Balasinor.

The Raja of Sunth.

Cutch

His Highness the Rao of Cutch.

Palanpur.

His Highness the Diwan of Palanpur.

His Highness the Nawab of Radhanpur.

Surat.

His Highness the Raja of Dharampur.

The Raja of Banada.

The Nawab of Sachin.

Kaira.

His Highness the Nawab of Cambay.

Than .

The Raja of Jawhar.

Shikarpur.

His Highness the Mir of Khairpur.

Kolhapur.

His Highness the Raja of Kolhapur.

Sayantradi.

The Sir Desai of Sayantradi.

Kolala.

The Nawab of Janjira.

To be pasted at page 69 of the High Court's Civil Circulars, as Circular No. 101 D.

101 D. Government Promissory Notes attached in execution of a decree, which have to be disposed of in satisfaction of the decree, should be sent by the Court making the attachment to the Accountant General with instructions regarding the disposal of the sale-proceeds of the Notes. (*Vide* Government Resolution, Judicial Department, No. 5324 dated 30th September 1890, *Government Gazette* for 1890, p. 1026 Pt. I).

7th October 1890.

Circular Slip for insertion in the Civil Circulars.

101 E.—A summons from a Court of Civil or Criminal Jurisdiction to produce any of the records of a Post Office, or a certified extract from, or copy of, any of such records, must be complied with. The receipt of such a summons, and such particulars as are known to the Postmaster General, in case he should see fit to raise any objection in Court under section 123 or section 124 of the Indian Evidence Act, I of 1872, to the production of any of the records. When any journal or other record of a Post Office is produced in Court and admitted in evidence, the officer producing it should ask the Court to direct that only such portions of the record as may be required by the Court shall be disclosed—(*Government Resolution No. 1538 of 13th March 1891*). (*Vide Government Gazette for 1891, Part I, p. 351*).

22nd April 1891,

CHAPTER II.

PROCESS AND PROCESS AND OTHER COURT FEES.

107. The following Rules made by the High Court, under Section 20 of the Court Fees' Act (VII of 1870) have been confirmed by the Government of Bombay and sanctioned by the Governor General of India in Council :—(See *Government Gazette* for 1888, Part I, pp. 597 to 600, and *Government Gazette* for 1888, Part I, p. 763.)

i. The fees at present levied for serving and executing processes issued by the High Court in its Appellate jurisdiction shall continue to be levied.

ii. The fees chargeable by all other Civil Courts shall be those shown in the appended table.

iii. The remuneration of bailiffs, peons and other persons employed by any Civil Court other than the High Court, in the service and execution of processes shall be as follows :—

	Rs.
1st Class	25)
2nd do.	15)
3rd do.	10)
4th do.	5)
5th do.	2)

The whole number of the process-serving establishment employed by the Civil Courts in each district shall be divided into five classes receiving the respective remuneration shown in the last rule.

v. Provided that no bailiff or peon shall be placed in the 3rd Class unless he is able to read and write well, nor in the 4th Class, unless he is able to read and write fairly.

vi. In fixing the number of bailiffs and peons required to serve processes, District Judges shall consider that the average number of processes, which can be served during the year by each bailiff or peon, is as follows :—

In the District of—

Surat ...	...	...	...	...	} 1,000
Ahmednagar ...	...	...	...	...	
Sátára ...	...	...	...	...	
Thána ...	...	...	...	...	
Násik ...	...	...	...	...	
Khándesh ...	...	...	...	...	
Poona ...	...	...	...	...	
Sholápur ...	...	...	...	...	

For

Ahmedabad ... 800

Dharwar ... 600

Read

Ahmedabad ... 700

Dharwar ... 500

Vide *Government Gazette*, 1889, Part I, page 871.

vi. In fixing the number of processes in any Court of Small Causes, District Judges shall consider that the average number of processes which can be served by each bailiff or peon is as follows:—

In the Small Cause Court of—

Surat ...	...	...	...	...	} 2,000
Broach ...	...	...	...	...	
Poona ...	...	...	...	...	1,500
Ahmedabad ...	...	...	...	...	} 1,250
Nadiád ...	...	...	...	...	

viii. When the salary of any bailiffs or peons is paid by the party requiring their services (see the ~~6th~~ ^{5th} exception below), additional temporary bailiffs or peons may be employed to a number not exceeding that of the men whose salary is thus paid. If no additional men are employed, the amount should be credited to Government.

Table.

Fees chargeable in Civil Courts in respect of processes and proclamations.

CIVIL COURTS* OTHER THAN MÁMLATDÁRS' COURTS.							MÁMLATDÁRS' COURTS UNDER BOMBAY ACT III of 1876.	
When the claim does not exceed Rs. 25.	Exceeding Rs. 25, but not exceeding Rs. 100.	Exceeding Rs. 100, but not exceeding Rs. 500.	Exceeding Rs. 500, but not exceeding Rs. 1,000.	Exceeding Rs. 1,000, but not exceeding Rs. 5,000.	Exceeding Rs. 5,000.	For every process or proclamation not otherwise provided for in this table.	For every notice or summons.	For every notice or summons returned unserved and re-issued for service.
Ans.	Ans.	Ans.	Re.	Rs.	Rs.	Ans.	Ans.	Ans.
2	4	8	1	2	4	8	3	2

* In suits in which the plaint is stamped with a stamp of Rs. 10 under Article 17 or of Rs. 5 under Article 15 of Schedule II of the Court Fees' Act, the process fee leviable will be eight and four annas respectively.

The fees above prescribed are to be charged for every proclamation made, and in the case of other processes for each individual ordered to be served with a process. Where one individual is to be served in more than one capacity, e.g. personally and also as guardian of a minor or minors, only one fee is to be levied.

EXCEPTIONS.

1st.—When a process issued by a Civil Court other than a Mámlatdár's Court is returned unserved, and has to be re-issued for service, a half fee only shall be charged on the occasion of each re-issue. When a notice or summons issued by a Mámlatdár's Court is returned unserved, and has to be re-issued for service, a fee of two annas only shall be charged on the occasion of each re-issue.

This rule applies whatever may be the reason which prevented service, (e. g. whether the failure to serve was due to the fault of the party on whose behalf it was issued or not, and whether the identical paper is re-issued or a fresh paper).

2nd.—When the service is set aside in an enquiry under Section 82, Civil Procedure Code, or when witnesses, &c., have to be summoned a second time in consequence of the Court not sitting on the day for which they were first summoned, no further fee is to be levied upon re-issue.

The following new Table and Notes to be substituted for the old Table, Exceptions and Notes at pages 72, 73 and 74, and comprised under Circulars Nos. 107 and 108 of the High Court Civil Circulars :—

TABLE.

Fees chargeable in Civil Courts in respect of processes and proclamations.

Name of process.	Amount leviable in.								
	Any Court of Small Causes and any Subordinate Judge's Court in a suit in which no second appeal lies as provided in Sec. 586 of the Code of Civil Procedure.			District Courts and Subordinate Judges' Courts in cases not provided for in the preceding column.			Mamlat-dars' Courts.		
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
I. For each summons or notice.									
(a). To a single defendant, respondent, or witness.	0	4	0	1	0	0	0	3	0
(b). To every additional defendant, respondent or witness residing in the same village, if the processes be applied for at the same time.	0	2	0	0	8	0	0	2	0
II. For every warrant.									
(a). Of arrest in respect of every person to be arrested.	0	8	0	2	0	0	...		
(b). Of attachment in respect of every such warrant.									
(c). Of sale in respect of every such warrant.									
III. For proclamation, injunction or order and every process not otherwise provided for.	0	8	0	2	0	0	...		

Note I. With the sanction of the Court any party may pay the cost of proceeding by railway or any public conveyance where such is available, and in such case the process server shall be bound to proceed by such railway or public conveyance.

Note II. For processes applied for and ordered to be executed as emergent, the fee will be the ordinary fee and half as much again.

Note III. Where one individual is to be served in more than one capacity, *e. g.*, personally and also as guardian of a minor or minors, only one fee is to be levied.

Note IV. When a process issued by a Civil Court other than a Mamlatdar's Court is returned unserved, and has to be re-issued for service, a half fee only shall be charged on the occasion of each re-issue.

This rule applies whatever may be the reason which prevented service (*e. g.*, whether the failure to serve was due to the fault of the party on whose behalf it was issued or not), and whether the identical paper is re-issued or a fresh paper.

Note V. When the service is set aside in an enquiry under Section 82, Civil Procedure Code, or when witnesses &c., have to be summoned a second time in consequence of the Court not sitting, or not taking up, or not completing the hearing of the case on the day on which they were first summoned, no further fee is to be levied upon re-issue.

Note VI. If a warrant has already been issued to arrest a judgment-debtor who has failed to pay the decretal amount, and who has been ordered to be imprisoned in a Civil jail and such warrant of arrest is in force, no further fee is leviable on the order of committal to jail.

Note VII. No fee is to be charged for any process issued by a Court of its own motion.

Note VIII. No process fee shall be charged on proclamations under Section 10 of Reg. VIII of 1827.

Note IX. The fees levied for all processes in suits to which Chapter 2 of the Dekkan Agriculturists' Relief Act (XVII of 1879) applies, except suits of the description mentioned in Section 3. Clauses (w) and (x), to which an agriculturist is not a party, shall be one-half the fees which would be leviable in similar suits to which the said Act does not apply.

Note X. No fee shall be levied for the service of any notice or other process issued in proceedings taken under Chapter 4 of the Dekkan Agriculturists' Relief Act, XVII of 1879.

Note XI. Nothing contained in these rules (or in any rules heretofore made by the High Court under Section 20 of the Court Fees Act (VII of 1870)) shall apply to process issued by a Village Munsiff, under Chapter 5 of the said Act (XVII of 1879).

Note XII. (a) When the services of one or more bailiffs or peons are required for a longer period than three days, the party on whose application the process was issued shall, in addition to the fee leviable under the above rules, be required to pay the whole salary of such bailiffs or peons for the whole period in excess of three days.

(b) The time occupied in going to, and returning from, the place at which service of process is to be made, shall not be reckoned as a portion of the above period.

(c) If the amount payable on account of salary under the above rule shall involve a fractional part of an anna, such part shall be remitted.

Note XIII. For the purposes of these rules the Courts of the Agents for Sirdars shall be treated as District Courts, and all other Civil Courts not specifically mentioned, as Subordinate Judges' Courts.

The rest of the Rules framed by the Honourable the Chief Justice and Judges under Sections 20 and 22 of the Court Fees Act, VII of 1870, published in the Bombay Government Gazette dated 19th July 1888 at page 598 et seq. and given in High Court Civil Circulars No. 109 et seq. to stand as at present.

(Vide Government Gazette for 1895, Part I, pages 1254 and 1255.)

to be pasted at page 73 of the High Court's Civil Circulars as a foot note to Exception 3.

Note to Exception 3.—If a warrant has already been issued to arrest judgment-debtor who has failed to pay the decretal amount and who has been ordered to be imprisoned in a Civil Jail, and such warrant of arrest is in force, no further fee is leviable on the order of committal to Jail—*Vide Government Gazette*, p. 1305 for 1890, Part I.)

25th November 1890.

to be pasted as a Note below Circular No. 107 at page 73 of the High Court's Civil Circulars.

Note—Section 250 of the Civil Procedure Code has no application to cases in which attachment before judgment is ordered.

The double process fee provided by the High Court Civil Circular No. 107, exception 3, Clause (4) is leviable in respect of the several orders of attachment for which forms are provided by Schedule IV Nos. 160—165 of the Code. (*Vide Government Gazette*, page 1305 for 1890, Part I.)

9th December 1890.

~~any amount payable on account of salary is to be reckoned, shall not be reckoned as a~~
portion of the above period.

(c) If the amount payable on account of salary under the above rule shall involve a fractional part of an anna, such part shall be remitted.

6th.—No process fee shall be charged on proclamations under Section 10 of Regulation VIII of 1827.

108. The following further rules made by the High Court under Section 20 of the Court Fees' Act (VII of 1870) have been confirmed by the Government of Bombay and sanctioned by the Governor-General of India in Council:—

i. The fees levied for all processes in suits to which Chapter II of the Dekkhan Agriculturists' Relief Act (XVII of 1879) applies, except suits of the description mentioned in Section 3, Clauses (v) and (x), to which an agriculturist is not a party, shall be one-half the fees which would be leviable in similar suits, to which the said Act does not apply.

ii. No fee shall be levied for the service of any notice or other process issued in proceedings taken under Chapter IV of the Dekkhan Agriculturists' Relief Act, XVII of 1879.

iii. Nothing contained in these rules, nor in any rules heretofore made by the High Court under Section 20 of the Court Fees' Act (VII of 1870) shall apply to process issued by a Village Munsif under Chapter V of the said Act (XVII of 1879).

109. As to applications which must be made in writing, and upon which, therefore, a court-fee is leviable, see Circular No. 16 above.

110. No court-fee is leviable upon a certificate of a decree-holder under Section 238 of the Civil Procedure Code, although such certificate declares that the judgment-creditor has received a smaller sum or a thing of less value in discharge of a larger sum due under the decree, or in complete discharge of the decree.

111. Before any process is issued in any Court, the proper officer of the Court should calculate the amount to be paid as court-fees, and should give information of such amount to the person by whom the fees are payable. Such fees should be paid before the end of the fourth day after the day on which such information is given. The Court may, for sufficient reason, extend the time for payment.

The stamps received for court-fees should be affixed to the application upon which the process is to be issued.

After the fees have been received, but not before, the necessary summons, notice, warrant, or other process, should be prepared.

When the process is to be issued beyond the jurisdiction of the Court, a note should be made on the process to the effect that the proper fee has been levied.

112. A process issued by any Court in British Territory should be served free of charge by any Court (including the Court of Small Causes at Bombay) in the Bombay Presidency, if it be certified in the process that the proper fee has been levied under the rules in force in the territory in which the Court issuing the process is situated.

or in the territories of H.-H. The Nizam

113. Processes issued by the Courts in Berár, Mysore, or by any of the Courts mentioned in the Government of India's Notification No. 868-I of 13th March 1881, re-published at page 419 of the Bombay Government Gazette for 1885, Part I, or in subsequent noti-

fications to which the provisions of Section 650-A of the Code of
have been applied,* shall be served free of charge

To be added as Circular No. 1141 (para 2) at page 23 of
the High Court Civil Circular Order Book.

114 i (para 2). Sufficient time, not less than one month
from the date of posting, should be allowed by Courts for the
service of summonses and other documents on persons residing in
the Straits Settlements and for the attendance of such persons
before them. (Vide Government Gazette for 1900, Part I,
page 2365).

13th November 1900.

"In the case of summonses to be served in the City of
Hyderabad a period of five weeks should be fixed for return, and
in the case of summonses to be served in the districts, a period of
two months." (Vide Government Gazette, 1890, Part I, page 125).

- | | | |
|-----|---|---|
| 4. | " | Chotila Thānū. |
| 5. | " | |
| 6. | " | Chotila Thānū. |
| 7. | " | Paliyād " |
| 8. | " | Dasāda " |
| 9. | " | Bhoika " |
| 10. | " | Vithalgad " |
| 11. | " | Jhinjhūvāda Kāmdār. |
| 12. | " | Assistant Political Agent, Sorath Pránt. |
| 13. | " | Deputy Assistant Political Agent, Sorath Pránt. |

lements should
rt at Singapore,
be accompanied
and postage, the
abad for service
s the Nizám, the
e district, village
e summons.

Pránt.
Pránt.

iii. Processes sent for service at any place where the language is different from that of the Court issuing them, should be accompanied by translations in the language of such place or in English.

Kolhápúr and Southern Maráthas

- | | | |
|-----|---|-------------------------|
| 1. | Court of the Political Agent, Kolhápúr and | |
| 2. | " Assistant Political Agent, South | |
| 3. | " Regent in Council, Kolhápúr | |
| 4. | " Chief Judge, Kolhápúr... | |
| 5. | " " of Kágál ... | |
| 6. | " " of Bávdá ... | |
| 7. | " Sadar Amin, Kolhápúr... | |
| 8. | " Munsif of Shirol | |
| 9. | " " Gad Hinglaj... | |
| 10. | " Kárbhári of Kágál ... | |
| 11. | " " Bávdá ... | |
| 12. | " Munsif of Inchalkaranji ... | |
| 13. | " Munsif of Vishalgad ... | |
| 14. | " Joint Officer at Katkol ... | |
| 15. | " Nyáyádhish of Miraj ... | } Miraj State (Senior). |
| 16. | " Munsif of Lakshmeshvar ... | |
| 17. | " " Modnimb ... | |
| 18. | The Kárbhári's Court ... | } Miraj State (Junior). |
| 19. | Court of the Munsif of Kavtha ... | |
| 20. | " " Gudgiri ... | |
| 21. | " " Karoli ... | |
| 22. | The Kárbhári's Appellate Court, Rámdurg ... | } Rámdurg State. |
| 23. | Court of the Nyáyádhish of Rámdurg ... | |
| 24. | " Vahivatdár of the Sub-Saranjam of Mhaisál ... | Mhaisál State. |
| 25. | The Huzúr Court ... | } Ságli State. |
| 26. | Court of the Nyáyádhish ... | |
| 27. | Munsif of Miraj Pránt ... | |
| 28. | " Munsif of Mangalvedha, Kuchi, and Terdál, or Northern Division. | |
| 29. | " Munsif of Sháhápúr and Shirkatti, or Southern Division. | |
| 30. | " Chief of Mudhol. | |
| 31. | " Nyáyádhish of Mudhol. | |

Rewa Kántha.

1. Court of the Political Agent

To be added as Circular of the High Court Civil Circular

iv. Foreign processes issued in pursuance of provisions of Government of India Act of the 20th June 1895, are not complete. *Bombay Government Gazette for 15th January 1901.*

To be substituted for High Court Civil Circular No.
115 at pp. 77 and 78 of the Circular Order Book.

115. Every process sent by any other Court for service by
the Presidency Small Cause Court at Bombay, when not in the

**Courts in Kánarese-
de of Civil Procedure**

English translation,
of the person on
into such character, if
Part I, page 71.

Agent.

		lar No. 115.	Villa.
4.	"		"
8.	"	Hadol.	
9.	"	Jher-Nirmáli.	
10.	"	Japtidár of Mohanpur.	
11.	"	Varsoda.	
12.	"	Pethápúr.	
13.	"	Ghodásar.	
14.	"	Gábat.	

Pálanpur.

1. Court of the Political Superintendent.

3	"	Senior Assistant Political Superintendent.
4	"	Junior " <i>Personal Assist to the Political Supdt</i>
5	"	Thándár of the Tharád Jamya villages.
6	"	Vav.
7	"	Santalpur.
8	"	Varahi.
9	"	Diodár.
10	"	Kankrej Zilla.
11	"	Japtidár of the Estate of Malik Joráwar Khán Umar Khán of Varahi.

Sávantvádi.

1. Court of the Political Superintendent.

2. " *The Chief Judge of Savatwadi*
Judicial Assistant Political Superintendent.

3. " Nyáyádhish of Sávantvádi.

4. " Munsif of Kudal.

5. *The court of small causes of wadi*
Sholapur (Akalkot).

1. Court of of the Nyáyádhish of Akalkot.

2. Subordinate Court of Pílio.

3. " " Kurla.

Dhárwár (Savanur).

1. Court of the Political Agent, Dhárwár.

Surat.

1. Courts of the Sachin State.

1 Courts of the civil or revenue jurisdiction
B. G. S. 27 270.952/page 720 Part 1

to the Small Cause Court of Bombay for service, they shall be accompanied with a translation, either into Maráthi or English, preparation of which no fee shall be charged. But process from Courts of which the language is Gujaráti or need not be accompanied by translations, as some of the members of the establishment of the Court of Small Causes are acquainted with those languages.

116. Whenever the Court may deem it necessary, but otherwise, the party at whose instance the process issues, or some one authorized by him, must accompany the officer to whom the process is delivered for service, for the purpose of pointing out the person upon whom it is to be served, or his place of abode.

117. The provisions of Section 91 of the Civil Procedure Code allowing the substitution of a letter for a summons, are to be observed in the case of all Covenanted and Commissioned Officers, Judges of the Peace, First Class Subordinate Judges, and other gentlemen of rank not below that of a Deputy Commissioner, Sardárs, and other gentlemen of equivalent rank.

118. In addressing Native gentlemen, Judges and their subordinates shall use such forms as shall seem appropriate, rather than the forms used in the case of Ruling Chiefs, they may be addressed as the Political Agent or the Political Officer.

In addressing the Political Agent, the Court may also suggest to them that if they find it expedient in the case of any particular gentlemen of rank, they will furnish the Court with such covers for use on the few occasions when such gentlemen have to appear before the Court.

119. In cases in which it may be necessary to serve process on persons in the service of Government whose names are not known to the Court,

Sátára.

1. Court of the Political Agent, Sátára.
2. " Joint Administrators of Phalgaon.

Khándesh.

1. Court of the Political Agent.
2. " Assistant Political Agent for Mowas States.
3. " " " " Dárg and Surgána States.

public inconvenience, the summons should invariably be sent through the officer may be serving. (See

The following to be inserted at page 79 of the *English Court's Civil Procedure*.

120C—A Civil Court to which a summons has been sent for service should make a return within the time fixed by the summons for the hearing of the cause stating whether the summons has been served or not, and if not, the manner for the non-service.

120D—If a Court to which a summons has been sent for service be satisfied that the defendant is intentionally avoiding service, such Court shall itself direct substituted service to be made in such manner as it thinks fit under the provisions of the Code of Civil Procedure without further reference to the Court issuing the summons. (See *Government Gazette for 1880, Part I, p. 236*.)

moned to give evidence, the such officer, and a duplicate hom he may be serving, for possible, for making official es at the village of the officer

s Resolution No. 3025 of the Íámlatdárs are authorized to the court-fees, in the case of a suit under trial in his Court erty. Such advances will be in execution of the decree, and place, in such manner as to

fact that in cases in which it is the provisions of Section 82 of the Civil Procedure the serving officer, regarding the service of a ice returned under Section 80, the examination must the Court and not by the Clerk of the Court.

falling under Section 82, the officer who serves a ice on a defendant or respondent should, immediately make an affidavit before the proper officer as to the mmons or notice for use in case it becomes necessary 00 to prove that the summons or notice was duly use the Court considers, under Section 194 of the sufficient reason for ordering the fact of service idavit.

ing summary of the existing law and rules as to use of court-fee labels and impressed stamps convenience of reference :—

i. Section 30 of the Court Fees' Act (VII of 1870) is as follows :—

"No document requiring a stamp under this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been cancelled.

"Such officer as the Court or the head of the office may from time to time appoint shall on receiving any such document forthwith effect such cancellation by punching out the figure head so as to leave the amount designated on the stamp untouched, and the part removed by punching shall be burnt or otherwise destroyed."

ii. Impressed stamps used for denoting court-fees need not be cancelled or punched otherwise than as required by Section 30 of the Court Fees' Act. (Government Resolution No. 7106 of the 13th October 1883, Judicial Department.)

iii. The Court or office issuing copies, certificates and other similar documents liable to duty, is, before issue, to cancel labels affixed to them by punching out a portion of the label in such a manner as to remove neither the figure head nor that part of the label upon which its value is expressed. As an additional precaution, the signature of the officer attesting the document, with the date, should be written across the label and upon the paper on either side of it, as is frequently done by persons signing stamped receipts. (See Government Resolution No. 6204 of the 20th October 1875, Judicial Department.)

iv. The Record-keeper of every Court, when a case is decided, and the record consigned to his custody, is to punch a hole in each label distinct from that made under Section 30 of the Act, and note the date of his doing so. In doing this he should not remove so much of the stamp as to render it impossible or difficult to ascertain its value or nature. (See Government Resolutions No. 4436 of the 18th August 1873 and No. 7106 of the 13th October 1883, Judicial Department.)

v. (a) When the fee chargeable under the Court Fees' Act is less than Rs. 10, such fee shall be denoted by adhesive stamps only.

(b) When in any case the fee chargeable under the said Act amounts to or exceeds Rs. 10, such fee shall be denoted by impressed stamps bearing the words 'Court Fees', adhesive stamps being only employed to make up fractions of less than Rs. 10.

(c) If in any case the amount of the fee chargeable under the said Act involves a fraction of an anna, such fraction shall be remitted. (See Government Notification No. 8246 of the 25th April 1883, Revenue Department).

vi. (a) When in the case of fees amounting to or exceeding Rs. 10, the amount can be denoted by a single impressed stamp, the fee shall be denoted by a single impressed stamp of the required value. But if the amount cannot be denoted by a single impressed stamp, or if a single impressed stamp of the required value is not available, an impressed stamp of the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional impressed stamps of the next lower values available which may be required to make up the exact amount of the fee, in combination with adhesive stamps to make up fractions of less than Rs. 10.

(b) Any adhesive stamps which may be used under Rule vi (a) shall be affixed to the impressed stamp of the highest value employed in denoting the fee.

When two or more impressed stamps are used to make up the amount of the fee chargeable under the Court Fees' Act, a portion of the subject-matter shall be written on each impressed stamp so used, and the writing on each such stamp shall be attested by the signature of the person or persons executing the document.

When one or more impressed stamps used to denote a fee are found insufficient to admit of the entire document being written on the side of the paper which bears the stamp, so much plain paper may be joined thereto as may be necessary for the complete writing of the document, and the writing on the impressed stamps and on the plain paper shall be attested by the signature of the person or persons executing the document. (See Government Notification No. 2790 of the 25th April 1883).

To be added at page 51 of the Court Fee Stamp Book.

110B. Under Section 5 of the Court Fees Act, a decree presented with an application for execution is treated as a fresh Court Fee Stamp at page 45. *See Government Gazette for 1891 Part I Vol. 1*

If the same copy be presented again in the course of the same suit, or proceeding, or in the execution of the decree, no fresh Court fee is required in respect of such presentation. (See Government Gazette for 1891 Part I Vol. 1)

112 E.—Processes issued by the District Civil Courts in His Highness the Nizam's Dominions direct to the Civil Courts in British India for service in the districts within the Presidency proper, or to the Court of Small Causes at Bombay for service within the limits of the town of Bombay, shall be duly served by the Civil Courts concerned or the Court of Small Causes at Bombay, as the case may be, as if such processes had been originally issued by those Courts and returned direct to the Courts issuing them.

112 F.—Processes issued by any Civil Court in British territory for service on persons residing in His Highness the Nizam's Dominions shall be sent direct to the District Civil Courts in those dominions having jurisdiction at the places where such persons reside: provided that processes for service in the City of Hyderabad and the suburbs shall be sent to the City Civil Court there. The designations of the Judges of the District Courts in His Highness' dominions are given in the following table:—

Locality in which the process has to be served.	Designation of the Judge to whom the process should be addressed.	Designation of the Judge for postal purposes.
The City of Hyderabad.	Nazim-i-Adalat-i-Di- wani-i-Balda-i-Hy- derabad.	Nazim-i-Adalat-i-Di- wani-i-Balda-i-Hy- derabad, Hyderabad (Deccan).
The District of Hy- derabad (i. e. ex- cluding the City of Hyderabad).	Nazim-i-Adalat-i-Zi- la-i-Atraf-i-Balda.	Nazim-i-Adalat-i-Zila- i-Atraf-i-Balda, Hy- derabad (Deccan).
Any district in the Warangal Division of the Hyderabad State.	Nazim-i-Adalat-i-Zi- la-i-(a).	Nazim-i-Adalat-i-Zila- i-(a)—(a) district (Hyderabad State).
Any district in the Aurangabad Bidar or Gulburga Divi- sion.	Nazim-i-Adalat-i-Di- wani-i-Zila-i-(a).	Nazim-i-Adalat-i-Di- wani-i-Zila-i-(a)—(a) district (Hyderabad State).

The Districts in the four divisions referred to in Column 1 of the foregoing table are :—

Warangal Division.	Aurangabad Division.	Bidar Division.	Gulburga Division.
Warangal.	Aurangabad.	Bidar.	Gulburga.
Nalgunda.	Bir.	Medak.	Raichur.
Yelgandal.	Parbhani.	Indur.	Lingsugar.
	Nander.	Mahbubnagar.	Naldrug.
		Sirpur Tandur.	

112 G.—When the processes for service in His Highness' Dominions are issued for the appearance as a witness of any person residing there, the amount of batta and travelling allowances to which the witness is entitled shall be remitted, with the process, by Money Order. (Vide *Bombay Government Gazette* for 1899, Part I, page 1161).

25th July, 1899.

To be added as Circular No. 112 I at page 88 of
High Court Civil Circular Order Book.

112 I. Courts in British Territory should send direct
Courts of the Districts concerned all summonses or com-
intended for service or execution within the limits of the
ries of Mysore, and should fix such dates for their return,
admit of their service or execution within the appointed
(Vide *Bombay Government Gazette* for 1900, Part I, page

10th December 1900.

To be added as Circular No. 113 J at page 91 of
High Court Civil Circular Order Book.

113 J. The Baroda Courts will serve all summonses
by Civil Courts in British territory on the understanding that
the Darbar will not be asked to enforce attendance. In
Courts should serve civil summonses issued by Baroda Courts
similar terms. (Vide *Bombay Government Gazette* for 1901
I, page 186.)

15th January 1901.

The following Circular Order is issued
of Circular No. 114 K at page 92 of
Court Civil Circular Order Book.

It is notified that ~~general orders~~
Director General of the ~~Police~~ ~~Force~~ ~~of~~ ~~the~~
official correspondence ~~is~~ ~~to~~ ~~be~~ ~~delivered~~ ~~to~~ ~~the~~ ~~Director~~ ~~General~~
will be delivered ~~to~~ ~~the~~ ~~Director~~ ~~General~~
(Vide *Bombay Government Gazette* for 1901,
page 1141).

CHAPTER III.

RECORDS AND COPIES.

124. The following Rules are made for keeping the records of Civil Courts. (See also Section 32 of Regulation II of 1827 quoted with Circular No. 139 below) :—

i. The Subordinate Judges shall, on or before the 25th day of each month, forward to the Record-keeper of the District Court the records of all the suits decided by them during the previous month.

ii. With such records shall be forwarded under the signature of the Subordinate Judge a Register in Form XCI at page 257 which Register, after being compared with the records by the Record-keeper, shall be endorsed by that officer to the following effect and signed by him :—“ All the cases entered in this Register have been examined by me, and the number of papers in them is as stated in columns 6 and 7. The stamps on all which have stamps have been punched.”

iii. A true copy of the endorsement so made shall be sent by the Record-keeper to the Subordinate Judges so as to reach them before the next Registers are sent off by them.

iv. The District Judges shall give such orders and prescribe such forms as may be necessary for the proper arrangement of all the Records in the Record room, the principal object being that any case or paper may be readily found when required.

v. In the Districts in which the Dekkhan Agriculturists' Relief Act, XVII of 1879, is in operation, the records of all suits, decided by Subordinate Judges under the provisions of Chapters II and IV of the said Act, shall be forwarded quarterly to the Record-keeper of the District Court, instead of monthly, as directed in Clause i of the above Rules.

125. The following are the Rules for the destruction of records framed under Section 2 of Act III of 1879 :—

*I.—District and Subordinate Courts.**

(a) Where room is required, *but not otherwise*, the records of suits to which Section 586 of the Civil Procedure Code applies,

* Including the Courts of Village Munsifs under Act XVII of 1879.

with the exception of the plaint, judgment and decree, may be destroyed after the expiration of six years from the date of final decision. The Register of Suits, in which these suits have been entered, will be permanently preserved, and a book should be kept showing the numbers and years of the suits of which the records have been destroyed under these Rules. The records of the older suits should be destroyed first.

(b) The whole of the records of applications for execution of decrees may, when room is required, be destroyed ;

i. in the case of decrees in suits of a nature cognizable by Courts of Small Causes, on the expiration of 6 years ;

ii. in the case of decrees in suits of any other description, on the expiration of 12 years, after the final disposal of the application.

The Register of applications for execution will be permanently preserved, and a note should be made of the date of destruction under this Rule of the records of each application, on the page of the Register occupied by the entries relating thereto.

(c) The records of all cases coming within the provisions of Section 10 of Regulation VIII of 1827 may be destroyed on the expiration of twelve years from the date of the final order made by the High Court under Clause 4 of that section.

(d) The following records may be destroyed after the expiration of six years :—

1. Process Fee Book (Form A 1 at page 154).
2. General Day Book (Form B 1 at page 156).
3. General Ledger (Form B 2 at page 160).
4. Receipt books for money paid to pleaders.
5. Receipt book for money deposited in the Mámlatdár's Treasury.
6. Account book of Postage Stamps.
7. Book of Subsistence Money received and disbursed.
8. Account book of Registration Fees recovered.
9. Office copies of pay abstracts and contingent bills, &c.
10. Counterfoils of cheques.
11. Account of copying and translation fees paid through the Court.
12. Court-fee book.
13. Daily Register of Court-fees realized in Court.

14. Book of payments of deficient stamp duty.
15. Counterfoils of Receipt Book (Form No. G at page 174).
16. Inward and Outward Register Books.
17. Miscellaneous correspondence.
18. Miscellaneous reports of Subordinate Judges to District Judge.
19. Office copies of Monthly and Annual Returns.
20. Office copies of Returns of Leave.
21. Office copies of Ferists of Records sent to the Di
room.
22. Office copies of Returns of unanswered letters.
23. Post books.
24. Pleaders' applications for leave, &c.
25. Notices of hearing.
26. Notices of appeal sent to Subordinate Courts under Section
553 of the Civil Procedure Code.
27. Register of Vakalatnámás.
28. Miscellaneous Applications.
29. Bailiffs' Process Service and Receipt Book (Form A 2 at
page 155).
30. Applications for copies of decrees.
31. Receipt books of copies of decrees given to parties.
32. Receipt books of documents given to Section-writers to copy.
33. Register of Commissions issued to members of the establish-
ment. (See Circular No. 35 above.)
34. Register of Rejected Plaints (Form VII at page 180).
35. Counterfoils of Auction Receipts (Form XXXI at page
200).
36. Counterfoils of Court-fee Refund Certificates (Form
LXXXIV at page 245).

or application, the decree or final order, and exhibits produced by the parties may be destroyed after the expiration of six years from the date of final decision or disposal.

(d) Rule I above applies to Small Cause Courts.

To be pasted at page 87 of the High Court Civil Circular Order Book as Rule 125 II (c).

(c). Rule 125 I (e) above applies to all Small Cause Courts also. (vide Government Gazette for 1897, Part I, page 1245.

records have been destroyed, the older suits should be destroyed first.

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ts, under Bombay Act expiration of six years rs in which such suits ved, and a book should ne suits of which the the older suits should

IV.—General Rules applicable to all Courts.

(a) In preparing the list of papers which is placed in each record before handing it to the Record-keeper, a star (*) shall be prefixed to the title and number of each document which under any general or special rule is to be permanently preserved. The papers themselves should in each case be similarly marked, and should be placed at the top of the bundle so as to be easily separable from the rest.

(b) The date of destruction of the unmarked papers is to be noted on the list, which shall be permanently preserved.

(c) Very great caution should be exercised that nothing may be destroyed but what the above Rules authorize, and that no papers of the following descriptions are destroyed :—

Papers relating to public revenue.

Accounts, or copies of accounts, of revenue management of, or connected with alienations of revenue by, this or former Governments.

Title-deeds of, or relating to, immoveable property, or authenticated copies of the same.

(d) In all Courts which are allowed a vacation or vacations during the year, the selection of records for destruction shall be commenced at the beginning of each vacation and be continued *die in diem* (excepting close holidays) until the work is completed. A sufficient number of the members of the establishment of each

21. When any person who has filed a claim withdrawing his appeal, reply or motion of a party or a writ, appeal or any other case have returned to him during the appeal or pending the decision and when different cases appear in the same matter, their certified copy should properly be returned to the original. See Government Order, page 1467.

12 September 1994

20 of in January 1961, where it is possible that one possible
 of them of your call over the acts of the bank. When
 to a or public, not merely and waste paper should be
 about any and how to be to minimize the risk of loss. (Vide
 Government Securities for LSC, Part, I, p. 1501).

or Sec

may be returned to:

al request, and on taking

are to be retained and filed in original decrees appealed against.

passed in the High Court will be retained in the District Court and the Court of first instance, to be there

41 of Act XIV of 1869 (Bombay) directs that copies of papers be at the time of the passing of that and 13 of Regulation III of 1827.

Regulation III of 1827.

be entitled, on verbal application, to an authenticated copy of the decree; and, on application in writing, to an authenticated copy of any pleading, summons, order of Court, return, deposition, exhibit, and generally (with the exception of the Court's minute-book) of every document produced and used in a suit or other proceeding of a civil nature.

Second.—But where an exhibit, produced by one party, contains matter not relating to the suit, the other party shall be entitled only to extracts of such parts thereof as do relate to the suit.

Third.—The stamped paper required for the copy shall be furnished by the applicant at the time of application, and a receipt for the same, stating the period when the paper was furnished, shall be given by the proper officer; the copy shall be prepared by the officers of the Court, and shall be authenticated either by the Judge or by some covenanted servant being an officer of the Court; but in the Court of a Commissioner, the copy shall be authenticated by the Commissioner.

Fourth.—Authenticated copies of papers shall always be furnished within ten days after application, unless further delay is unavoidable, in which case the cause thereof shall be stated on the minutes of proceedings.

Fifth.—Parties shall be permitted, on application to the Court, to make copies of papers for their own use, and at their own expense; but the original papers shall not be removed from the office of the Record-keeper for the purpose, nor shall such copies be authenticated by any public officer.

To be added as Circular No. 132A, at page 90 of the
High Court Civil Circular Order Book.

xiii. Any person
making a copy of a
document and
make application
is in that Court;
object for which
grant or refuse the

132A. No officer of the Court shall remove from the Court-
house any record or official paper for any purpose whatever,
otherwise than with the previous sanction in writing of the Judge
(See Government Gazette for 1900, Part I, p. 2002.)

18th September 1900.

133. *RULES R

i. No fee should, under any circumstances, be taken for any copy or translation which the person receiving it is by law entitled to receive gratis.

ii. All copies should be not merely correct, but should also be written in a clear hand. School boys and domestics should not be allowed to make copies. Copies should also be written on a substantial paper and on the outer three-quarter margin only of sheets of foolscap paper, the inner one-quarter margin of every sheet being left blank.

iii. Translations, whether made from English into a vernacular language or from a vernacular language into English, or from one vernacular language into another, should be written out as prescribed in Rule ii.

iv. Translations should invariably be prepared either by the officer or officers of the Court who usually prepares or prepare the official translations of the Court, or by persons specially appointed in each Court by the presiding Judge after their competence has been satisfactorily ascertained.

v. The Judge of each District Court should prescribe the fees to be charged for (1) copying and (2) translating every kind of document in every Court in his district, and he may, if necessary, prescribe different rates of fees for different Courts.

Provided that the fees charged for copying shall not exceed the following rates :—

* Government by its Resolution in the Judicial Department, No. 4553 of August 5, 1878, has assented to the arrangement embodied in No. v of the Rules regarding copying and translation fees, and has directed that a simple form of account shall be kept of all fees paid through the Court.

case of English copies, 6 pies for every 25 words or fraction thereof.

case of vernacular copies, 6 pies for every 33 words or thereof.

case of certified copies, an additional half anna per 100 fraction thereof for examining and comparing.

amount of all such fees shall be kept in every Court in III at page 257.

the fees for making each copy and translation may be paid to the particular copyist or translator by whom each document is prepared; or all the fees paid in each Court for copies and translations collected during the month may be distributed, at the end of the month, at the discretion of the presiding Judge, amongst the persons employed by him as copyists and translators.

vii. Copies should not be made by paid members of the Court Establishment, unless no other persons competent to make them are available. The fees for copies so made shall be credited to Government.

Copies should be compared only by members of the establishment during office hours, and the fees levied for such work should invariably be credited to Government.

viii. As soon as each District Judge has prepared a table of fees for use in the different Courts in his district, he should send a copy thereof for the information of the High Court.

ix. No fee is to be charged for a translation of a judgment when furnished under Section 201 or Section 573 of the Code of Civil Procedure by the Court which passed the judgment; but whenever an application for the translation of the judgment of a Subordinate Judge is made to the District Court in consequence of the record of the case having been forwarded to that Court, the applicant should be required to pay the ordinary fee for translation.

x. No fee is to be charged for comparing copies under Sections 59, 62 and 141A of the Civil Procedure Code.

xi. Where an English judgment is recorded by a Subordinate Judge, and a copy or translation of such judgment is required by either of the parties, such copy or translation shall be made by the establishment of the District Court, if the Subordinate Judge

is unable to get it made in his own Court. In such cases no fee is to be charged for the translation ; only for a copy or copies of it as such.

134. On every copy or translation of a decree, judgment, or order shall be endorsed—

The date on which the copy was applied for.

The date on which it was ready for delivery.

The date on which it was delivered.

To prevent unauthorized alterations being made, the dates should be written in letters in a distinct handwriting, and each endorsement should be signed by some responsible officer of the Court on the date on which it was made.

135. Applicants for copies shall deposit a sum of not less than one rupee with their request for copies. Any balance thereof will be returned when the copies are furnished, and any further sum due must be made up before they are furnished. When sufficient paper is not furnished for making the copies, the additional which may be required, should be supplied by the copies completed at once.

The applicant should be charged sheet so supplied. ✕

136. i. District Judges are certain individuals, as many as of each Court, for the papers requiring them, papers, English not be entitled by law to obtain to be paid for the work he may them.

ii. The object of selecting particular individuals for this work is to secure important papers filed in suits from going into the hands of others than known, respectable, and responsible men; and the object of nominating no more than are necessary to each Court is that every one so nominated may have the opportunity of earning a fair livelihood.

iii. District Judges may delegate the nomination of section-writers to Subordinate Judges, subject to their sanction, but shall in all cases themselves fix the number to be entertained for each Court.

The following notice should be made to Circular No. 115 at page 11 of the High Court Civil Circulars.
In Small Cause Courts the minimum amount to be deposited by applicants for copies shall be four annas. (Vide Government Circulars for 1894, Part I, page 1139).
See 1/1/95
they may and to cause each the rates to be fixed by

iv. When copies have to be made in a language other than that of the district, the Court may by special order appoint a fit person to make them.

v. No one who has not qualified himself for admission to the public service shall be appointed as a section-writer, and preference should always be given to those who can write a good clerkly hand.

137. i. Any one entitled to receive a copy of a document recorded in any Civil Court may present his application either in the Court in which the document is recorded, or the Court of first instance where the suit was originally heard, or in any Court to which the decree may have been transferred for execution, or in any Court in which proceedings are pending for the purposes of which the copy is required, or in any Court within whose jurisdiction he resides.

ii. If he present his application in any Court other than the one in which the document is recorded, he shall append a petition, requesting it to forward his application; and he shall deposit a sum (not less than Rs. 2) as he anticipates will cover all the amount being noted in the application. If the petitioner is a party to the suit, his application must be supported by an affidavit showing the grounds on which the copies are required. The application must bear a one-anna stamp and a one-anna stamp.

The sectioner receiving the application shall forward it to the Court in which the copy is to be made. The latter shall decide whether the applicant is entitled to the copy or not. If he is so entitled, a copy shall be made and forwarded with the copying fee endorsed thereon to the Court in which the application was presented, a note being made in the record of the case. If he is not entitled, the application shall be returned with the Court's refusal to grant the copy endorsed thereon. In the latter case, any further application on the subject can only be accepted in the Court where the papers are recorded.

iv. If the sectioner, who has to prepare the copy, finds that the sum deposited is insufficient to cover

* Sectioners' fees and cost of paper. the charges,* he shall at once cause a letter to be written to the Court in which the application was presented, stating what further deposit is required,

and the preparation of the copy shall be delayed till the amount has been deposited, either in the Court in which the copy was made, or in the Court in which the copy

v. On receipt of the copy, the Court, in which it was presented, shall hand it over to the applicant. Any balance there may be out of the money deducting the copying fees and an extra fee of 8 annas distributed as provided in Rule vi. The applicant's fee is taken and forwarded to the Court which issued the

vi. All correspondence under these rules shall be written by the sectioners of the respective Courts, each of whom shall be entitled to a fee of 4 annas for his trouble. The letters shall be signed by the Clerks of the Courts. In each Court the presiding Judge shall appoint one or more of the sectioners to perform the duties prescribed by this rule, and may remove him or them, at his discretion.

vii. The copying fee and the sectioner's fee of four annas will be remitted by the Court in which the money was deposited to the Court in which the copy was prepared. Subordinate Courts may, subject to any rules made by the District Judge, make monthly remittances either in cash or otherwise as may be found most convenient.

viii. For purposes of these rules, all correspondence shall be franked with service stamps, and any Subordinate Court may write direct to the High Court. Letters under these rules may (subject to any general orders of the District Judge on the subject) be addressed to the Clerk of a District or Subordinate Court and to the Sheristedár of the High Court.

138. Nothing in Circulars Nos. 133 @ 137 is to be construed as interfering with the right of parties and their pleaders to be permitted to make such uncertified copies as they may require either themselves or by known and responsible clerks, subject to the provisions of Clause 5 of Section 12 of Regulation III of 1827, which, though repealed by Act XIV of 1869, is kept in force by Circular No. 132.

To be pasted at p. 95 of the High Court Civil Circular
Order Book as Circular 135A.

135A. When unclaimed balances remain in the custody of the Courts out of deposits made by applicants for copies under High Court Civil Circular No. 135, they should be dealt with in accordance with Account Rule No. 23 at page 7 of the Collection of Rules as to Accounts posted at page 152 of the High Court Civil Circulars. (*Vide Bombay Government Gazette, for 1907 Part I p. 1491*).

CHAPTER IV.

ESTABLISHMENTS.

139. With reference to Section 39 of Act XIV of 1869 (Bombay Civil Courts Act), the High Court directs that ministerial officers shall continue to perform the duties which were discharged by them at the time of the passing of the Act. Such duties so far as the District Courts, including the Courts of Assistant Judges, are concerned, are prescribed by so much of Sections 30, 31 and 32 of Regulation II of 1827 as is quoted below.

Sections 30, 31 and 32 of Regulation II of 1827.

xxx. First.—The Court shall have a Názir with one or more deputies, and such other inferior officers, whether writers or peons as the extent of business may require.

Third.—It shall be the duty of the Názir, either personally or by means of his inferior officers, to serve summonses and to fix up notices issuing from the Court, to take all securities required by the Court, and to execute all written orders or process to him directed, more especially for the apprehension or custody of persons, and for the sequestration, attachment or sale of property to answer the Court's decrees.

Fourth.—The Názir shall return the summons or order on the day appointed, with an endorsement specifying the manner in which it has been executed, or the cause that has prevented its execution.

xxxi. First.—Each Court shall have so many Sheristedárs and writers subordinate to them as the extent of business may require.

Third.—It shall be the duty of the Sheristedár to keep a register of all complaints filed in the Court, and to receive and file all pleadings, exhibits and other papers in civil suits.

Fourth.—To take down in writing minutes of the proceedings of the Court, the depositions and examinations taken in it, and all orders and judgments that may be passed.

Fifth.—The Sheristedár further shall examine, in presence of the parties interested, all matters of account referred to him by the Court, and prepare such abstracts or statements as the order of reference may require.

Sixth.—He shall also prepare all summonses, orders, warrants, decrees, proclamations or other writings issuing under the seal and signature of the Court, and copies of such papers in Court as may be required.

Seventh.—The Sheristedár shall keep a record of the proceedings of the Court.

Eighth.—The Sheristedár shall, if practicable, deliver over to the charge of the Record-keeper the papers in all cases decided in any of the Courts of the zilla, within thirty (30) days after a decree has been passed, unless an appeal has been entered.

Ninth.—An inventory shall be delivered along with the paper to the Record-keeper, and the Sheristedár shall obtain a receipt for them in a book to be kept for that purpose.

xxxii. *First.*—The Court shall have a Record-keeper, with so many assistants as may be necessary, who shall have charge of the records of all the Civil Courts within the zilla.

Third.—He shall arrange each paper according to its number in the respective suit.

Fourth.—The suits shall be arranged during the current year according to the date on which they were respectively delivered in for record, and shall be so kept until the year is completed, when they shall be arranged for permanent record according to the year in which they commenced respectively, and the number which each bears upon the general file of that year.

Fifth.—The Record-keeper shall keep a day-book in the form contained in Appendix G, in which he shall make an entry of every paper delivered into his office belonging to any suit, noting the number of the suit, the date of filing the plaint, the names of the parties, the Court in which it was tried, the date of the decree, the number of the papers in the suit, and the date when it was delivered in for record.

Appendix G, referred to in the foregoing clause—

Form of Day-Book for Civil Records kept in a Zilla Court.

Date of delivery of record.	Number of suit.	Date when filed.	Names of the parties.	By whom tried.	Date of decree.	Number of papers received.
1821.						
5th April.	753 of 1821.	2nd February 1821.	A. v. B.	Commissioner of	20th March 1821.	No. 1 to 24, inclusive, as per list in decree.
6th April.	613 of 1821.	3rd March 1821.	C. v. D.	Judge ...	29th March 1821.	No. 1 to 37, inclusive, as per separate list.

140. Subject to any rules passed or to be passed by Government as to age, qualification, &c., the following Rules are prescribed under the provisions of Section 38 of Act XIV of 1869 (Bombay Civil Courts' Act), relative to the appointment, suspension, dismissal, and punishment by fine of all ministerial officers in the District and Subordinate Judges' Courts:—

i. All ministerial officers of the Civil Courts in each District shall (except as otherwise hereafter in these Rules provided) be appointed, and may be fined, suspended, and dismissed by the District Judge, whose orders shall be final, provided that, if the District Judge dismiss the Clerk of the Court, Názir, Head Clerk, or Sheristedár of the District Court, such officer shall have a right of appeal to the High Court against the order of dismissal.

ii. An Assistant Judge at a detached station, when invested with powers under Section 19 of Act XIV of 1869 within a particular part of a district, shall, as respects ministerial officers, exercise the same powers within his jurisdiction as those exercised by a District Judge, except that the appointment of the Clerk of the Court, Názir, Head Clerk, and Sheristedár shall be subject to the confirmation of the Judge of the district, and any order dismissing these officers shall be open to appeal to the High Court.

iii. All ministerial officers excepting bailiffs of the Subordinate Judges' Courts, whose salaries do not exceed Rs. 10 a month, shall be appointed by the Subordinate Judges, but in the case of Kárkúns such appointments shall be subject to the confirmation of the District Judge or Assistant Judge, F. P., to whom they are subordinate, provided that such District Judge or Assistant Judge, F. P.,

shall have power to transfer any ministerial officer to and from their own or any Subordinate Judge's Court in their respective jurisdictions.

iv. No peon or bailiff shall be of any Civil Court who is not of 18 years of age, or more than 25, In making such appointments - to me

To be substituted for of the High Court Civil

v. shall District shall go or Mat sity, or the Fir the pu' Class held t person less th. at the the pro

140V. No person shall of the Court, Nazir, Sheris or Subordinate Court, who or a Graduate, unless he ho Bombay University Schoo Examinations for admission to the lower grades of the Public Service, preference being given to the holders of the highest class of certificate. Provided that nothing in this rule shall be held to prevent the appointment as a Karkun or Writer of any person who has held an appointment as Bailiff on a salary of not less than Rs. 12 for a period of three years or of any person holding an appointment as section-writer under the provisions of Circular No. 136 above. (Vide *Bombay Government Gazette* for 1901, Part I, pages 1171 and 1230).

Circular No. 136 above.

The following is added as Clause iii, (a) to Circular No. 140 at page 100 of the High Court Civil Circular:-

iii. (a) A Subordinate Judge shall have power to fine, suspend or dismiss any ministerial officer of his Court who is guilty of any misconduct or neglect in the performance of the duties of his office, subject to the right of appeal to the District Judge. (Vide *Government Gazette* for 1894, Part I, page 1013).

24th September 1894.

vi. No dismissed officer, peon or bailiff shall be reinstated or re-appointed without the special orders of the High Court upon a report of his case.

vii. Before any ministerial officer is punished under these rules, he should have a full opportunity given him of making his defence.

141. It is the duty of every District Judge, Subordinate Judge, and Judge of a Court of Small Causes in the Mofussil to exercise a strict supervision over his office establishment, and to insist on the punctual attendance in office of all members of the establishment at the proper office hours and on the prompt and regular despatch of all official business for which any and every member of the establishment is responsible. Except in the hot weather, when, in some districts, it may be convenient to transact all business in the early hours of the day, the office hours in every Judge's office shall ordinarily be from 10½ A.M. to 5½ P.M., official time.

142. In every district, the District Judge or Assistant Judge, F. P., should keep a book containing the names of all the ministers and officers in all the Courts in the district arranged in order of rank, with remarks as are necessary for guidance in

This book should have a column showing the relationships or connexions of each officer and a column for good and bad service, of zeal and want of

Section 40 of the Bombay Civil Courts Act (XIV) empowers the Court may—

to register plaints, referring such as he considers proper for the orders of the Judge,

and register plaints includes the power to receive the

papers accompanying

(b) sign all processes,

(c) authenticate copies of papers.

In addition to the above duties it is under the said section directed that the Judge of a District or Subordinate Court may authorize the Clerk of his Court to perform all or any of the following duties, namely :

(d) authenticate translations,

(e) sign receipts for papers received in the Court,

(f) have charge of and affix the seal of the Court,

(g) sign registers and books of proceedings other than Roznámás and notices on the notice board,

(h) sign the endorsement forwarding or returning process sent for execution to or by another Court,

(i) receive and register all applications and papers accompanying them, being bound to refer such as he considers should be refused for the orders of the Judge,

(j) receive and dispose of all merely formal applications presented in due time, for copies or translations and for adjournment, on the ground that the summons was not served on defendant, or that service must be proved, or that a notice may be served on the legal representative of a deceased defendant or a guardian *ad litem* of a minor defendant, or with consent of both sides that a compromise may be effected,

- (k) receive written statements under Section 110 of the Civil Procedure Code,
- (l) in the temporary absence of the Judge adjourn proceedings, make orders for the re-attendance of witnesses, and take bail from an apprehended witness under Section 174 of the Civil Procedure Code.

In addition to the above duties the Clerk of the Court may in a District Court—

- (m) receive and register appeals and papers accompanying them,
- (n) sign Roznámás,
- (o) sign "by order," and after taking the order of the Judge, correspondence with the Subordinate Judges relating to leave of absence, establishment, pay and allowances, contingent bills, periodical returns or statements, budget estimates, and similar matters of administration,
- (p) exercise a general control over the Record-keeper, in providing for the proper sorting and destruction of records, in accordance with the rules in force regarding the permanent or temporary preservation of such records.

Nothing in Section 40 of the Bombay Civil Courts Act or in the above Rules should be construed to affect the power of the presiding officer of each Court under Sections 48, 62, 64, 73, 91, 159, 201, 230 and 251 of the Civil Procedure Code to appoint an officer who need not be the Clerk of the Court, for the duties mentioned in the said sections as capable of delegation to an officer appointed in that behalf.

144. The following Rules for the guidance of Názirs in the District Courts are to be carefully observed:—

i. All entries of receipts and disbursements in the Názir's Cash Book should mention the authority under which they are made.

ii. The cash that remains in the Názir's office for daily use should, during the office hours, be kept by the Názir himself, and all receipts and disbursements should be made by him in person.

iii. The Deputy Názir, or, where there is no Deputy Názir, such officer as the Judge may appoint shall be the book-keeper in the Názir's office. The accounts shall hereafter, wherever possible, be kept in English, but if the change cannot be effected at once, it

needed
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may be temporarily postponed, until the Judge can arrange for its introduction upon the appointment of a sufficient number of qualified clerks.

iv. No advances should be made out of cash in the Názir's charge without express sanction from the Judge.

v. Intestate property should be kept where the Názir can readily get at it and exercise due supervision over it.

vi. A register should be kept in the Judge's and Assistant Judge's offices of the orders directing fines to be recovered; and at the end of the month the Názir should be required to send a statement showing the number of orders for fines received, how many of these have been realized, and how many remain, assigning satisfactory reason for delay in the case of those remaining unexecuted.

vii. The Názir should keep a book showing all fees received by him as administrator of intestate property.

viii. The Judge should, whenever he conveniently can, examine the Názir's accounts, or order others to do so.

ix. The Názir is allowed to lodge, for safe custody, in the Collector's Treasury, a box or boxes containing property of which he holds charge in his official capacity as Názir, but for the contents of these boxes the Collector's establishment cannot be held responsible.

x. All that the Collector's establishment have to do is to see that the boxes are kept in a safe place, and not opened by any person but the Názir, or such other officer as the Judge may think fit to name; and, if the Judge think proper, there can be two locks to each box, the key of one remaining with the Názir, and of the other with himself or his Assistant.

xi. In the month of January of each year a list should be posted up in the Court-house, showing the sums of money which have remained unclaimed for over six months on any account and the names of the persons to whom they are due, and, if no one appears within two months from the date of such publication to claim the sum due to him, it shall be paid into the Government Treasury for the eventual benefit of any person who may duly establish his claim thereto, to the satisfaction of the District Judge.

CHAPTER V.

POST AND CORRESPONDENCE.

145. Considerable delay and confusion having been found to arise owing to documents which should go to the Prothonotary, High Court, being addressed to the Registrar, and *vice versa*, it is directed that documents intended for the Original Side of the Court be addressed to "The Prothonotary, High Court," and those intended for the Appellate Side to "The Registrar, High Court."

146. All decrees or orders from the Mofussil Courts for execution by the High Court,

All returns to process received from the Prothonotary for service by the Mofussil Courts, and

All commissions, and generally all documents, forwarded by the Prothonotary to the Mofussil Courts and required to be returned to the High Court, should be forwarded to the Original Side of this Court.

147. Returns should be made to every Writ issuing from the High Court in the form of an endorsement on the Writ certifying its execution or the reasons which may have prevented its execution. On the receipt of a Writ from the High Court, the date of receipt should be at once endorsed thereon, and when the return is made, the reasons should be stated for any delay that may have occurred beyond the period prescribed for the return.

148. The returns and papers noted below should be forwarded to the High Court, as set forth against each of them :—

- | | |
|--|---|
| 1. Civil, monthly, half-yearly and yearly returns. | To be forwarded by endorsement. |
| 2. Receipts for record and proceedings returned from the High Court. | The receipts should only be signed and returned without a letter. |

3. Processes sent to District Judges for service.

Should be returned by endorsement on the High Court's forwarding letter.

149. District Judges should forward to the High Court, at the end of each quarter, general Registers of letters to and from the Registrar of the High Court unreplied to, in the following forms:—

Quarterly General Register of Letters to the High Court of Judicature unreplied to on the 18 .

Number and date of letter.	Subject.	Date of despatch.	Remarks.

Quarterly General Register of Letters from the High Court of Judicature unreplied to on the 18 .

Number and date of letter.	Subject.	Date of receipt.	Remarks.

150. Whenever any papers sufficiently bulky to require to be sent by parcel post are sent to any Court, a separate letter should be sent by post advising their despatch.

The same plan will be adopted in the High Court, and in the event of any papers not being received within a reasonable time after the arrival of the letter announcing their despatch, the circumstance should be at once reported.

151. Postage charges on all processes, notices, and such other documents as are issued from any Court, and are required to be transmitted by post, are to be paid by means of service postage stamps. [See Government of India Resolution No. 225, 12th April

1882 (Financial Department) and Government of Bombay Resolution No. 2711, 29th idem (Judicial Department)].

152. The following Rules are to be observed by all Courts in making remittances through the post. Sums not less than Rs. 2 wherever practicable, should be sent by money order. Sums under Rs. 2 should be sent in stamps. In order that stamps may not be damaged, they should be stitched to the accompaniment, and not gummed on to it. When postage stamps are sent, and the value of the stamps is sufficient to justify the expense of registration, parties should be recommended to register the letters with which the stamps are sent.

153. Reports on the inspection of Subordinate Courts (see Circular No. 183 below), and the explanations accompanying the half-yearly Returns of civil cases and of applications for execution (Nos. II, III and IV at pages 141, 142 and 143 below) are to be written only on the outer half of each page of paper used, the inner half margin being left blank.

CHAPTER VI.

LIBRARIES.

154. The following Rules are prescribed for the libraries of Subordinate Courts, and are applicable *mutatis mutandis* to those of District Courts :—

i. A catalogue is to be kept of all books in the library, and the names of new books acquired added to it immediately on receipt.

ii. The Názir is to have charge of the library, and will be responsible for any books that may be lost.

iii. Each Subordinate Judge will, on taking charge of the Court, examine the books and compare them with the catalogue which he will sign. If any book is missing, he will at once make a report to the District Judge, who will make such enquiry and take such steps for replacing the work as may appear necessary.

iv. The Subordinate Judge will from time to time, as he may think expedient, examine the books in the library, and he will be held personally responsible for the preservation of the works in good order. A report as to the condition of the library should be made to the District Judge at the beginning of every calendar year.

v. The Indian Law Reports should be regularly bound as the volumes are completed, and Subordinate Judges are particularly requested to see that this is done carefully and correctly, as great inconvenience is caused when the numbers are not bound in proper sequence and with reasonable skill.

vi. No books are to be removed from the Court-house except by the Subordinate Judge, who will give a receipt to the Názir for any book he may take home with him, and recover it on returning the book.

vii. The Acts of the Legislature supplied to the Court are to be carefully filed and bound, and added to the library. In at least one set the alterations made from time to time by new laws should be promptly and accurately noted.

viii. Orders of the Executive Government under powers conferred by the Legislature and of the High Court affecting the construction or operation of laws are to be preserved and noted in the same way as Acts.

ix. Attention is also drawn to Government Resolution in the Judicial Department, No. 2636 of the 29th April 1886 and No. 31 of the 4th January 1888, the substance of which is as follows:—

(a) Every Assistant Judge, Subordinate Judge and Mofussil Small Cause Court Judge shall submit, on the 1st January of each year, to the District Judge a report on the state of the library attached to his Court, stating whether the catalogue has been written up to date, what, if any, books are missing, what steps are being taken to replace them, whether the books are all in good condition, the extent to which Law Reports and other publications supplied in parts have been bound up, &c. The District Judge will then issue such orders as may be necessary on the report.

(b) All District Judges, Assistant Judges, Subordinate Judges and Small Cause Court Judges shall keep, in a separate file, duly numbered, all letters and memoranda accompanying books sent for the libraries of the Courts. On each such letter a memorandum must be endorsed, the date of the receipt of the book, and the number assigned to it in the Court library; this endorsement should be initialled or signed by the Judge or Clerk of the Court and by the Názir.

(c) Every officer in taking over charge of a Court should ascertain the correctness of the library catalogue by comparison with the file of letters and memoranda and see that all the books are forthcoming; he should also sign a memorandum to that effect, a copy of which should be filed with the file of letters and memoranda and a duplicate given to the officer from whom he takes over charge.

(d) A reference to the instructions given in (b) and (c) and a statement of the steps taken to comply with them should be added to the report ordered by the High Court in Rule IV, above.

(e) District and Assistant Judges on tour should invariably satisfy themselves that the library attached to any Subordinate Court visited is kept in thoroughly good order.

CHAPTER VII.

HOLIDAYS, VACATIONS, LEAVE AND TRANSFERS.

155. i. Under Section 43 of Act XIV of 1869, in addition to the days therein mentioned*, those named in the accompanying list are sanctioned as holidays in the District and Subordinate Courts. The Courts may also be closed for a day on the occasion of a visible eclipse of the sun or moon.

ii. In the case of extraordinary holidays (*e.g.*, Kapila Shashti), which occur only after a series of years, sanction shall be specially applied for.

iii. Early in December a list shall be prepared by the District Judges, in the language of the District, showing the dates of the month on which the holidays will fall during the ensuing year. This list shall be circulated for general information to all the Officers and Courts in the District.

iv. The Courts shall not be closed on other days than those allowed by the High Court :—

* Sundays, New Year's day, Good Friday, Christmas day, and Her Majesty's Birthday.

Days.	CHRISTIAN.—On which all the Courts are to be closed.	Days.	HINDU.—On which all the Courts are to be closed.	Days.	MAHOMEDAN.—For those Courts in which the Judge is a Mahomedan, excepting the Muharram, on which day all the Courts are to be closed.	Days.	PAKIST.—For those Courts in which the Judge is a Parsi.
4	Easter (The day before Good Friday, the day after Good Friday, Easter Monday, Easter Tuesday).	1 1 5 1 1 1 1 1 1 1 4	Makar Sankranti. Shivaratri. Holi. Varsh Pratipada, Ram Navmi. Ashadi Ekadashi. Narali Purnima. Gokul Ashtami (or Janma Ashtami) Ganesh Chaturthi. Dasara. Divali. Kartik Ekadashi.	1 1 1	Muharram. Ramzan Id, or conclusion of the fast. Bakri Id or Id Kurban.	1 1 5 1 2 1	Jamshedi Naoroz. Aban Feast. Gatha Gambar. Pateti (New Year's Day). Khurdat Feast and Valava. Atash Beheram Salgiri.
7	Ascension Day.						
8	Christmas. (The 24th December, the 26th to 31st December inclusive)	19 1 1	These 2 local holidays are only for the towns of Surat and Broach, in the Surat District. This local holiday is only for the towns of Surat, Broach, Anklesar and Vagra in the Surat District. For Jains or Shravaks in the Ahmedabad District.				
12		1 1 5	Last Shravan Monday Akshi Navmi. Kartiki Jatra. Gnan Panchmi. Ulas, last day. Pujan (first and four other days).				

Note.—In lieu of the three holidays, viz., Varsh Pratipada, Idm Navmi, and Ashadi Ekadashi, mentioned above, the next day to Gokul Ashtami (Shravan Wad 9th), and Makani Atham (Ashvin Shud 24th) are to be observed, and 1st Pujan, the Rath Jatra (Ashad Shud 2nd) and Dep Ashtami (Kartik Shud 24th) are to be observed.

To be added as a foot-note at page 116 of the High Court Circulars.

Note.—In the Pandharpur Subordinate Judge's Court, the above addition will be observed on holidays on the occasion of the Ashad Pratipada and the day in addition on the occasion of the Kartik Ekadashi is for all time days of Easter (Thursday before Good Friday, Easter Monday and Easter Tuesday), these days on the holidays on the day of the Kartik Ekadashi and the day of the Ashad Pratipada.

12th July, 1901.

Insert the following note at page 116 of the High Court Circulars:—

Note.—In lieu of Makar Sankranti mentioned in the above table, the day of the Ashad Pratipada is to be observed on the 12th July, 1901.

12th November 1901.

of three weeks each are allowed to Court
beginning on or about the 1st of May and the
application for permission to close the Court for
the season made not less than three months previous

161. Applications for leave other than privilege leave should be made in the usual way to Government. (See Government Circular No. 4132 of the 22nd November 1869.)

162. District or Assistant Judges on returning from privilege or other leave should report officially to the High Court the date of their resuming charge of their Courts. Whenever a District Judge, Joint Judge, Assistant Judge, or Small Cause Court Judge, without leaving the station at which his Court is ordinarily held, is, on account of illness or other necessary cause, absent from his Court in any one month for more than two days, not being Sundays or close holidays or during the authorized vacation, his absence, and the cause of it, is to be reported to the High Court.

A Subordinate Judge in the same case should make a report to the District Judge or Assistant Judge F.P.

163. Whenever a District Judge, Joint Judge, Assistant Judge or Small Cause Court Judge has been absent for an entire working day from the station at which his Court is ordinarily held, otherwise than on duty or during the authorized vacation, his absence is to be reported to the High Court.

164. Whenever a District Judge, Joint Judge, Assistant Judge or Small Cause Court Judge leaves the station at which his Court is ordinarily held, on duty, except for the purpose of holding Court at another station, a report is to be sent to the High Court and another on his return.

165. Subordinate Judges should not, except for very emergent reasons, leave their stations without the previously obtained consent of the District Judge. Every absence of a Subordinate Judge from his station, except upon duty, must be reported to the High Court.

166. Casual leave may be granted by Subordinate Judges to the ministerial officers of their Courts. A statement of leave so granted should be furnished monthly to the District Judge or Assistant Judge F. P.

167. In default of special orders, no Subordinate Judge should, on transfer, leave his Court until relieved by his successor, provided that where one Court must be left vacant for some period, as in the case of transfers of Subordinate Judges, all actually at work,

the District Judge or Judges concerned are to make such arrangements as may cause least inconvenience. (See Government Resolution No. 8536 of the 14th December 1885, Judicial Department.)

168. In the same way, a Subordinate Judge going on leave, should not vacate his Court until relieved by his successor, provided that the District Judge may for sufficient reason, and where he is satisfied that no inconvenience will be caused to the administration, permit a Subordinate Judge to go before the arrival of his successor. (See Government Resolution No. 1275 of the 2nd March 1888, Judicial Department.)

To be pasted as Circular No. 158 A at page 119 of the High Court Civil Circular Order Book.

158 A. When applications for privilege leave to Covenanted Judicial Officers and Judges of the Courts of Small Causes are granted by the High Court, under High Court Civil Circular No. 158, the Officers and Judges concerned should, on hearing of the same, notify to Government the fact of the leave being granted by the High Court and the date on which they propose to avail themselves of it. (*Vide Government Gazette for 1896 Part I page 868*)

CHAPTER VIII.

SUBORDINATE JUDGES AND P

APPOINTMENT AND EXAMINA

169. *Examination of Candidates for the offices Judge, of Pleader of the High Court, and of D*

The Honourable the Chief Justice and Judges High Court of Judicature are pleased, in supersession of orders on the subject, to lay down the following regulations for the examination of Candidates for the office of District Pleader of the High Court, and of

Rules

i. An examination of candidates for the office of District Judge and Pleader of the High Court, and of District Pleader of the High Court, will be held in February or March, or at such other time as may be determined by the High Court, and the results will be given in the *Government Gazette*. Candidates of proficiency, the examinations for whom will be held separately, but with different papers for each standard. Candidates for the offices of Subordinate Judge and Pleader of the High Court must pass the examination according to the Higher Standard, and candidates for the office of District Pleader must pass the examination according to the Lower Standard.

ii. The examinations will be conducted by a Committee appointed by the Honourable the Chief Justice and Judges of the High Court. Each candidate desiring admission must submit, in writing, a separate application addressed to the High Court, Appellate Side.

iii. Any subject of the Empire for any of the above examinations, provided he has not been examined by any former Committee on the first day of February

The following amendment of High Court Circular No. 169 has been made

Rule ii.—Any subject of the Empire desirous of entering himself for any of the above offices is entitled to sit at any such examination, provided he has not been examined by any former Committee and provided he shall have submitted with his application, so as to reach the High Court on the first day of February preceding the examination, the following effect.

to the Registrar, with his application, satisfactory certificates to the following effect:—

(a) that he is a subject of the Empress; together with the place of birth and his exact age, which, at the date of the application, is not more than twenty-two years;

(9).—That he can speak, read and write, with ease and correctness, one of the vernacular languages which are read in the District Courts of the Bombay Presidency, viz., Marathi, Gujarati and Kanarese, and also that he has passed the Matriculation or School Final Examinations of the University of Bombay. (Bombay Government Gazette p. 766 Pt. I).

To be posted at page 120 of the High Court Civil Criminal Order Book as an addition to Rule 33 (3).

The *Notes of the Macrobiosians on the School Final Examination Certificate of the Bombay University, the Register will accept the Macrobiosian Certificate of the Madras University, or the London University Certificate of the University of Victoria, British Columbia. The Certificate must also be submitted in original with the application and will be returned when the fee is paid. (See Government Gazette No. 2, 1908, page 167).*

will be returned if the factory. If the on, apply to the ent himself for be available for ircumstances, be settle for 1892.

A receipt will be furnished by the Registrar and will be returned if the candidate's performance is satisfactory. If the candidate's performance does not satisfy the Registrar for any of the reasons mentioned above, the fee will be reserved for the next examination.

paragraph 3 may be signed by
e of the Court of Small Causes
llege or other institution recog-
r, by a Professor of the Govern-
dicial, Executive, or Political
a District outside the limits of
tate, or by the Registrar of the

en admitted to the examination, subject to the provisions of the Act on production only of the certificate required under Rule 3 (c), and on the basis of Rule 3 (d).

lity of a candidate in respect
ful, such inquiries as may be
registrar for consideration and
of Justice and Judges.

in the *Government Gazette*, under
Chief Justice and Judges, at a

to make the following amendments in Rule III and Rule III(a) of the Rules for the Examination of Candidates for the offices of Subordinate Judge and Pleader of the High Court and of District Pleader, embodied in High Court Civil Circular No. 169 and printed at page 122 *et seq.* of the High Court Civil Circular Order Book.

(a). In the first line of Rule III after the words "Any subject of the Empress," the words "or any subject of a Native Prince or State in India under the Suzerainty of Her Majesty" are added.

(b). In the first line of Rule III(a) after the words "that he is a subject of the Empress," the words "or a subject of a Native Prince or State in India under the Suzerainty of Her Majesty" are added.

(See Government Gazette, 1907, Part II, Section 3, Sub-section (1), Rule III(a).)

(See Government Gazette for 1896 Part I p. 822).

VII.

the orders of the

reasonable time before the date fixed for the examination, a list of the candidates whose applications have been admitted.

viii. The examination will be conducted in writing (and if necessary *vivâ voce* also) in the English language, want of proficiency in which, as shown in the candidate's answers, will be held to disqualify him.

ix. In each standard six papers will be set to the candidates, as follows; the maximum number of marks obtainable is shown opposite each subject:—

1. Hindu and Mahomedan Law	100
2. The Laws of Civil Procedure and Limitation ...	100
3. The Law of Contracts and Torts	100
4. The Law of Specific Relief, Transfer of Real Pro- perty, Mortgage and Trusts	100
5. The Law of Evidence, Registration, and Stamps ...	100
6. Criminal and Police Laws	100

x. In addition to the Acts and Regulations, and the Reports of the High Courts, the following text books are recommended: the examiners, however, not being in any way confined to these text books in setting their questions:—

Mayne on Hindu Law and Usage.

West and Bühler's Digest of Hindu Law.

Macnaghten's Principles and Precedents of Mahomedan Law.

Field on the Law of Evidence in British India.

Cunningham's Commentaries on the Indian Evidence Act.

Cunningham's Commentaries on the Indian Contract Act.

~~Collyer's Treatise~~

To be substituted for Rule XI of Circular No. 169 at page 124 of the High Court Civil Circulars.

169-xi. In order to pass the examination according to the Higher Standard the candidate must obtain at least 30 per cent. of the marks obtainable in each paper, and 60 per cent. of the aggregate number of marks obtainable in all the papers. In order to pass the examination according to the Lower Standard the candidate must obtain at least 30 per cent. of the marks obtainable in each paper and 50 per cent. of the aggregate number of marks obtainable in all the papers. (Vide Government Gazette for 1893, Part I, page 595).

28th June 1893.

~~the Civil Circulars~~ of which no candidate has
 To be substituted for Rule XIV on page 125 of
 the Civil Circulars.

XIV. Every candidate who has passed the examination according to the Higher Standard will on application and on payment of the stamp duty prescribed by law be entered as a Vakil on the Roll of the High Court, and will thereupon be entitled, under the first part of Section 4 of Act XVIII of 1879, (which was extended to the Regulation Districts of the Bombay Presidency by Government Notification No. 1504 dated 28th February, 1887), to practise in all Courts subordinate to the High Court, without taking out any sanad; provided that any candidate who has passed the examination according to either standard may, on application and on payment of a fee of Rs. 5, be granted a sanad authorizing him to practise in the Courts of such one District of the Bombay Presidency as the Hon'ble the Chief Justice and Judges may think fit. (Vide *Government Gazette* for 1891, Part I, p. 365).

14th April 1891.

To be added as para 2 to Circular No. 169 XIV at
 page 125 of the High Court Civil Circular Order
 Book

2. Successful candidates desirous of practising as pleaders will be required to make a declaration that they are not employed in the public service in any of its departments before sanads to practise are issued to them. Government servants passing the examination will on application be enrolled as pleaders, but their sanads will not be issued to them so long as they are in service. Pleadors accepting Government service will not be allowed to practise while in such service even though they may be on leave. (Vide *Government Gazette* for 1901 Part I, page 242).

21st January 1901.

Read—

+ "Appointments to the office of Subordinate Judge will ordinarily be made by His Excellency the Governor in Council according to the following rules:—"

Court, or have

(c) served for three years as Clerk of the Court, Sheristedár, Deputy Sheristedár or Názir in a Civil Court, or have

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d) performed continuously for the duties specified in (a), (b) and (c). In Rule 1 (b) and (c), the term 'Government Pleaders in the High Court', and the term 'Civil Court' mean the Small Cause Courts, District Courts, and Mofussil Small Cause Courts, at

ii. Candidates for appointment to produce a certificate of having one year in the Government Pleader, or the District Side, or of the Presidency District Judge, as the case may be: provided that when the certificate is of service under the Government Pleader in a District Court, it must be countersigned by the

v. Nothing in Rule 1 (b) is to prevent a Government Pleader from practising as a pleader in any case which does not require the signature of an Assistant.

vi. The Legal Remembrancer will select persons as Honorary Assistants. Qualified persons desiring to be entered on the list should send their names to the Registrar or District Judge.

vii. Nothing in these Rules is to prevent the Government, at any time, with or without notice, as to

71. i. Every Subordinate Judge before obtaining his first substantive appointment, must appear before the Central Committee for each of the three vernacular languages of the Presidency, or must have already done so before obtaining his appointment, or shall have obtained from the Government a certificate of having proved in the course of his office in one of the said languages other than the vernacular language.

ii. Failure to qualify as above will result in removal from his appointment.

iii. In making new appointments, candidates who have been selected in the

and the following paragraph be added to the end of the

1. The period of the service referred to in Rule 1 (b) shall be reckoned from the date of the first appointment of the Judge and of the Subordinate Judge and of the Pleader in the High Court for 1894, page 126.

English in 1894

Registrar of the High Court, Small Cause Court, or the District Court, provided that when the certificate is of service under the Government Pleader in a District Court, it must be countersigned by the

The following is to be substituted for Circular No. 171, of 1894 and 187 of the High Court Civil Circulars.

71. i. Every Subordinate Judge is required to pass, within a year of obtaining his first substantive appointment, an examination before the Central Committee for Departmental Examinations in any one of the three vernacular languages, English and Sanskrit, or in any other language which the Government may deem fit to add to the list. The examination shall be held at the discretion of the Government. A Subordinate Judge who fails to pass the examination shall be liable to removal, unless he can show that he is unable to do so for some special reason, which he must prove to the satisfaction of the Government. The expiration of the period for the examination shall be deemed to be the expiration of the period for the examination. Any Subordinate Judge who fails to pass the examination shall be liable to removal, unless he can show that he is unable to do so for some special reason, which he must prove to the satisfaction of the Government. The expiration of the period for the examination shall be deemed to be the expiration of the period for the examination. Any Subordinate Judge who fails to pass the examination shall be liable to removal, unless he can show that he is unable to do so for some special reason, which he must prove to the satisfaction of the Government.

making new appointments, candidates who have been selected in the previous year will ordinarily be selected in preference to those who have not. The High Court Pleader's examination will be held in the same year but no other candidates will be eligible for appointment to the High Court Pleader's examination. The examination for the High Court Pleader's examination will be held in the same year but no other candidates will be eligible for appointment to the High Court Pleader's examination.

's examination (see Circular No. 170) or took the same year, but are not thus qualified.

pointments to the First Class, preference will be given to those who have qualified as above. (See Government Circular No. 4654 of the 9th July 1883 and No. 1323 of the 1884.)

holding sanads for a district may appear, plead and practise in Courts of Small Causes within the same district. The

subject of Pleaders in other Courts contained in Regulation II of 1827, Chapter VI, and Act I of 1846 shall, so far as they are still in force and may be applicable, extend to Pleaders practising in Courts of Small Causes under this rule.

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Government Resolution,
24th April 1901. Gov-
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CHAPTER IX.

INTESTATE AND MINOR'S PROPERTY.

173. When the Názir is appointed administrator under Section 10, Regulation VIII of 1827, he shall, on taking possession, submit a proclamation in the form contained in Appendix C, Regulation VIII of 1827, for signature and seal of the Judge, and this proclamation shall be then issued.

174. The Názir appointed administrator of intestate property under Regulation VIII of 1827 shall receive no remuneration either until the estate is made over to a claimant under Clause 3, or until it is sold and the proceeds deposited in the Public Treasury under Clause 4 of Section 10 of Regulation VIII of 1827. When he parts with the custody of intestate property in either of these ways, he may be allowed by the Judge a fee not exceeding 5 per cent. on the value of the property which he gives up.

175. In the case of property made over to the charge of a Curator under Act XIX of 1841, advertence shall always be had to the limit of remuneration laid down in Section 7 of the said Act, viz., 5 per cent. on the value of the personal property, and 5 per cent. on the annual profits of the real property so dealt with.

176. Whenever any District Magistrate is of opinion that property of intestates or persons deceased without known heirs should be sent to the District Court, he shall in the first instance forward his subordinate's report direct to the Judge, who, in the event of his concurring with the Magistrate, will order the Názir at once to take possession, or, in the event of his differing, will direct the property to be returned, or left with the party having original possession.

177. All expenses attendant on the issue of a proclamation regarding intestate property under Regulation VIII of 1827, Section 10, shall be paid out of the estate of the intestate.

178. In the case of property left by persons dying intestate and without known heirs, a book in Form XCIII at page 258 shall be kept by the Názir of the District Court when appointed administrator for the management of the property.

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179. All moneys received or disbursed by the Nazir on account of any ^{minor's} estate of which he is administrator, ~~whether intestate or~~ ^{minor's} ~~shall not~~ ^{shall not} be entered in the General Day Book and Ledger (see Chapter XXII) ^{but shall keep a separate account} ~~but shall keep a separate account~~ ^{of such moneys} ~~of such moneys~~

180 When the Collector of a District is directed by the Civil Court to take charge of the estate of a minor, it is not proper to issue to him a certificate under Section 10 of Act XX of 1864, but he should be furnished with a certificate that he has been appointed under Section 11, and court fees should be levied from him, at the cost of the estate, according to the amount of the property of every kind which he may from time to time report as having come into his hands.

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at the end of
chapter xii
page 29.

CHAPTER X.

SUPERINTENDENCE.

181. Immediately on receipt of the record and proceeding the District Court in cases coming before it on appeal, the Clerk of the Court or Sheristedár is carefully to examine the *roznámá* in every case, where the proceedings in the Court of first instance have lasted more than one year from the date of the institution of the suit or proceeding to the date of the final decree or order, to prepare before the District Judge a summary of the causes of delay. This should be examined by the District Judge as soon as possible, and he should report to the High Court every instance in which he considers that a suit has been improperly protracted, or that the instructions given in Circular No. 18 above have been disregarded together with the name of the Subordinate Judge responsible for the delay. This report should be sent in immediately on the conclusion of the examination, and a copy of it should be sent to the Subordinate Judge. It need not enter into details of the various adjournments, but should merely communicate the opinion of the District Judge on the circumstances of the case. A note of every such report will be made in the Register of Subordinate Judges kept in the High Court, and will be considered in determining questions of promotion.

A similar examination of the diaries will be made in the High Court in regard to cases coming before it on appeal.

182. District Judges when trying appeals should particularly notice whether the instructions given in Circular No. 44 above as to judgments and in Circular No. 70 above as to *roznámá* are strictly followed by the Subordinate Judges in their districts.

183. The District Judge or his Assistant should personally visit the Subordinate Courts periodically, and make a searching inspection of the records, procedure and accounts, taking particular care to ascertain whether the rules and principles laid down in Circular No. 18 above have been strictly followed. A report of the inspection should be furnished to the High Court, indicating briefly its general results and the District Judge's opinion as to the

**To be substituted for Chapter X of the High Court
Civil Circular Order Book**

The following to be substituted for Circular No. 181 of the revised Chapter X of the High Court Civil Circular Order Book.

181. The District Judge should inspect or cause to be inspected every Court subordinate to him not less often than once in two years. He should give due notice of the probable date of inspection to the Subordinate Judge, who should fill in beforehand a printed form of Inspection Report (as hereinafter given) as far as possible upto date so that on the Judge's arrival there may be no loss of time in collecting information. The District Judge should at the inspection examine this report and add his own remarks (for which suggestions are hereinafter given) and send a copy to the presiding Judge for guidance, submitting only to the High Court any points on which orders are required. If the District Judge cannot go himself he may depute the Joint or Assistant Judge (if any) to hold the inspection. (Vide *Bombay Government Gazette* for 1902, Part I, n. 432).

183. Once a year the District Judge should, if practicable, assemble a Judicial Conference of the Judges subordinate to him for the discussion of doubtful matters, and for consultations as to the condition of each Court. The conference should begin on a Monday or on a day following a holiday, and should not last longer than 2 days. The Courts of Judges attending the conference may be closed for the 2 days and for such further time as may be necessary for the Judges rejoining their stations. Notice of the date of the conference should be communicated to the Judges not less than 2 months before the date fixed, in order that they may be able to fix their cases accordingly. To facilitate consultation each Small Cause Court Judge and Subordinate Judge should bring with him and lay before the District Judge a form of Inspection Report duly filled in, unless an inspection has been held within the year. A copy of the Conference Report should be sent to the High Court.

(Vide *Bombay Government Gazette* for 1902, part I, p. 349).

his appointment for the first time the District J

ascertain and report to the High Court (1) His place of birth (2) His caste, if a Hindu, (3) The places (if any) at which he is possessed of landed or house property with some indication as to its nature or extent and (4) His vernacular language. If subsequently the Subordinate Judge acquires other landed or house property he should report the fact through the District Judge.

186. Immediately on receipt of the record called for on appeal the Clerk of the Court or Sheristedar of the District Court shall examine the Roznamah of every case which from institution to decree has lasted more than a year and shall lay before the District Judge an English summary of the causes of delay. If after obtaining the explanation of the Subordinate Judge there appears to have been undue delay or unnecessarily dilatory procedure, the District Judge shall report the matter to the High Court with a view to a note being made in the Register of Subordinate Judges, and shall furnish a copy to the Judge concerned. A similar examination of Roznamas will be made in the High Court in regard to cases coming before it.

FORM OF INSPECTION REPORT.

Name of Subordinate Judge with date on which he came to this Court.

State of Building.

List of Establishment including Sectioners.

Name.	Educational Qualification.	Caste if Hindu.	Official Title.	Pay.	Date of 1st Appointment.	Remarks.
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In the column of remarks it should be noted whether any member of the Establishment is over 55 and if so reference should be made to the order granting extension of service. It should also be stated whether any members of the establishment are nearly related.

Number of processes served during the year ending the previous 31st December.

Number of Pleaders practising in the Court.

Number of licensed petition-writers (if any).

State of the Files.

Number of suits on file on the last day of previous month.

Number of suits over one year old on the last day of previous month.

Number of suits on file on the corresponding day of previous year.

Number of suits over one year old on the corresponding day of previous year.

Number of applications for execution of decrees on the last day of previous month.

Number pending over a year on the last day of previous month.

Number of applications (other than for execution of decrees) pending over six months.

Remarks of the Subordinate Judge on the state of the files.

Remarks of the District Judge.

What fees have been received during the preceding 12 months by any member of the Establishment for execution of commissions? Give a list in detail.

To the above form the Inspecting Officer should add his own remarks on the result of his inspection for which purpose he will find the following notes useful for guidance.

I. Court &c.

Situation of Court-house, improvements or repairs required? Internal alterations expedient? Arrangement of rooms:—Place for witnesses and pleaders. Record room suitable and in good order? Space for Record-Keeper and his karkuns and the Sectioners?

Suitable place for attached property?

Furniture in good order? Go through dead stock list. Proper notice board?

II. Regular Establishment.

Related to each other or not? How long serving in this Court? The business of each man duly apportioned? Examine muster roll showing attendance of each karkun. Is this document properly kept?

Vakils—their number, whether permanent or coming occasionally to the Court?

III. Records.

(1). Memo Book-Circular page 40.

Is it neatly kept and correctly according to the provisions of paras. ii and iii of the Circular? Note correctly as to each provision. Column 5 rightly kept for cases coming on on a date when not fixed for it? Is mark ✓ correctly made? (not for cases formally adjourned, confined to cases actually brought on). Where are darkhasts entered? (Some Subordinate Judges find a separate book for darkhasts expedient). Where is entry made of proceedings not requiring judicial investigation (e. g., enquiry as to the behaviour of a subordinate) which are fixed for a particular date?

See whether Subordinate Judge exercises supervision and control over the entries in this book.

(2). Roznama—Circular page 40.

Is it always kept as an original document from day to day without any preparatory *tipan*? Legibly written?

Is the fact always entered whether the witnesses have appeared?

Is the reason of adjournment always entered?

Are all the provisions of the Circulars, pages 40, 41, 42, followed?

N. B.—High Court Circular, ¹⁸17 (e), (f) and note page 10.

Are these strict orders really followed? Test this by examining some Roznamas. Are witnesses often sent away unexamined, or kept for many days at a time? Is fresh evidence admitted at late stages of suits?

Are cases wrongly entered in the *sine die* list (18 (f) and note)?

When does Subordinate Judge have the list brought before him and days fixed?

Is the oldest case always taken first? Is the list open to inspection by Vakils?

Is Circular 17 page 9 followed?

Go through all the other provisions of Circulars 18 and 19 and see whether they are followed?

Are the clear provisions of Circular 14, page 4, strictly followed (about filing documents)?

N. B.—Circular 44, page 29.

Are these provisions strictly followed, especially para, (4)?

See also Circulars 46, 47, 48, 49 and 50.

(3) Other Records

Register of suits.

Civil Procedure Code, Schedule IV, 116.

Column 1. Rightly filled in ?

Columns as to appeal and execution duly filled in ?

Columns 12, 13, 14, the first appearance only need be entered.

Columns 9, 17. Entries not to be prolix.

Registers C and D. Circulars, pages 42, 43.

Matters belonging to C should not be entered in D and *vice versa*.

Nature of petition and order to be *concisely* stated.

Inward and Outward Register.

See that in Column 5 there is entry showing what is done with the correspondence.

Each correspondence to be entered *as soon as received*.

Register of returned Exhibits, Circulars, page 183.

Duly signed by karkun and column 4 rightly filled in ?

IV. State of the File.

Examine some of the suits, miscellaneous application and darkhasts more than six months old and note causes of delay.

Are the provisions of Chapter X, Civil Procedure Code, made use of ? (they tend to shorten cases).

If not, whose fault is it ?

V. Process Establishment.

(1). Process karkuns.

Too many or too few ? Are any bailiffs *permanently* employed as karkuns ? If so, why should sanction not be formally asked for, so that they may be borne on the list as karkuns.

(2) Process-servers (bailiffs).

Take any month as a test and see how many bailiffs were employed as process-servers and on what days and how often each man was in attendance at Court. Compare Nazir's book (muster roll) with the kamgiri book (Circulars, page 155, and estimate how many bailiffs are really required as process-servers, making due allowance for the fact that each man cannot always be out on "kamgiri" and some must on their off days be in attendance at Court, doing miscellaneous work under the Nazir (taking post, going to treasury, helping to keep order in Court etc. etc.)

Are any employed exclusively as peons? Are any in the "ainat" of the Subordinate Judge?

Is there due supervision over the process-servers? Who distributes the work? Who sees that they are not absent too long?

Court watching.

How is this arranged? How many men are really necessary for this? Is it only required at night (duty can be taken by shifts in turn when not on kamgiri).

VI. Miscellaneous.

Service stamps account rightly kept?

Ordinary postage account.

Is this duly kept? (Many applications are received with stage stamps. These should be duly accounted for).

Stationery account.

Examine this.

Judge's Library.

Compare with catalogue, which should be neatly written up to date.

Name of Court and Seal to be in all books.

Acts and Indian Law Report Series should be bound.

Law Library.

Similarly examine. Look at "issue book." See that no books have been wrongly detained.

English files.

Are these properly kept, papers of each subject together?

Suitable files are :—

1. Government Resolution etc.
2. Judgments and decrees from Superior Courts.
3. Miscellaneous file.
4. Abstracts.
5. Government Gazette.

Examine account of Contingencies, and compare with some vouchers.

Examine register of casual leave (too often given?)

VII. Accounts.

Take the new Circular inserted at page 152 and go through the "Instructions" there given and see that these are followed.

Trace a few items through all the accounts in which they should appear.

Compare with process fee register and kamgiri book.

(Vide *Bombay Government gazette* for 1901, Part I, pages 2546 to 2549).

efficiency with which the work of the Court or Courts inspected is carried on ; a more detailed account may be given of any points which seem to require the more particular notice or special orders of the High Court.

184. Subordinate Judges should bear in mind that their prospects of promotion mainly depend on the opinion formed by the District Judge of their judicial capacity and of the regularity and system with which the work of their Courts is conducted. A note will be made in the High Court of every report sent by District Judges as to the efficiency or otherwise of Subordinate Judges, and while seniority and judicial ability will always be fully considered, unnecessarily dilatory procedure will be a serious obstacle in the way of promotion, and may even lead to reduction. District Judges should in the month of January in each year send in to the High Court the names of those Subordinate Judges in their districts whom they consider to be specially efficient in the discharge of their duties.

185. If practicable, the District Judge should at some convenient season of the year assemble the Subordinate Judges and hold a sort of Judicial Conference regarding matters on which they may have doubts.

186. The District Judges should, at the beginning of each year, submit a report in regard to the new Subordinate Judges appointed for the first time during the past year ; (a) stating any reasons, which, in their opinion, may render it undesirable that any particular Subordinate Judge should be transferred to their respective districts ; and (b) giving information, as to each Subordinate Judge in their respective districts, on the following points ; namely, (1) the place of his birth ; (2) his caste (if a Hindu) ; (3) the places at which he is possessed of immoveable property, with some indication of its nature and extent ; and (4), his own vernacular language and the vernacular languages in which he has passed the examination prescribed in Circular No. 171 above.

CHAPTER XI.

RETURNS.*

I.

MONTHLY CIVIL RETURN.

i. A return in the accompanying form shall be submitted later than the 10th of the month following that to the end of which it extends, by the Judge of each District for the Small Cause Courts and Subordinate Courts in his District.

ii. Judges of Small Cause Courts, Jáhírdárs and others holding sanads under Regulation XIII of 1830, and Subordinate Judges shall submit subsidiary returns in a similar form, from which the District Judge will compile the General Return for the District.

iii. Subordinate Judges are to append to their Monthly Returns an account of pending suits similar to that required for half-yearly return of cases pending more than six months (Return No. III given on page 142). This account shall be fully scrutinized by the District Judge to detect any delays and irregularities noted in the General Return.

iv. Each Subordinate Judge is to enter in his return the number of complaints which have been accepted or rejection within one month of presentation. This information need not be included in the General Return for the District.

v. Appeals from 'orders' which are, under Section 2 of the Civil Procedure Code, included in 'decrees' should be treated as appeals from decrees, and entered in columns 18 to 32 of the monthly return.

vi. Darkhásts forwarded, under para. 2 of the Government Notification No. 3600 dated the 24th May 1880 (see Circular No. 96 above), to the Collector are to be entered in the Civil Return as pending execution by the Collector.

* Blank returns should not be submitted. When there is no material for filling in any return, a report to that effect will be sufficient.

The following Returns I and II and the instructions accompanying are to be substituted for the Civil Returns I to VI printed at pages 1: 145 of the High Court Civil Circular Order Book and all instructions re- to them, Returns VII to XII being retained as III to VIII:—

I. Monthly Return of Original Civil work, Disposed of and remaining in the District of
during the month of

19

Name of Judge.	REGULAR SUITS.							APPLICATIONS FOR EXECUTION.						Miscellaneous judicial or- ders requiring investi- gation.	Contested.	Uncontested.	Miscellaneous applications under the C. P. C., or any Act pending for more than six months at the end of the month.	Remarks.
	Arrears.	Received during the month.	Total for disposal.	Contested.	Uncontested.	Total.	Remaining for disposal at the end of the month.	Number pending over a year at the end of the month.	Arrears.	Received during the month.	Total for disposal.	Disposed of.	Remaining for disposal at the end of the month.	Number pending over a year at the end of the month.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

INSTRUCTIONS.

1. The Return of Original Civil work is to be sent every month to the District Judge not later than the fifth of the month by every Small Cause Court Judge, Subordinate Judge, Jaghirdar with powers under Regulation XIII of 1830 and Cantonment Magistrate exercising Civil powers.

2. The District Judge shall send to the High Court not later than the tenth of the month a general return of Original Civil work for all the Courts in the District, and also a return of Appellate Civil work.

3. Along with the Returns submitted at the beginning of January and July the presiding Judge of each Court shall send in English a very brief explanation in respect of suits, darkhasts or appeals from decrees pending over a year and in respect of applications and appeals from orders pending over six months. No detail need be given but the explanation should show whether the arrears are due to congestion of work in the Court or to special causes inherent in the cases themselves. No such explanation should ordinarily cover more than one sheet of foolscap. If the arrears are due to congestion of work in the Court the presiding Judge should state what measures he recommends for clearing them off. All these explanations should be sent on in original to the District Judge who should write below his own suggestions.

4. Suits, applications for execution and appeals re-admitted or received by transfer shall be entered as "Received" as well as those newly instituted. All suits, applications and appeals struck off the file for any reason shall be treated as disposed of. All suits in which an appearance is put in on behalf of the Defendant and in which evidence or arguments are heard shall be treated as contested even though ultimately compromised or dismissed for default or in consequence of abatement. All other suits shall be entered as uncontested.

5. In Columns 16 and 17 of the return of Original Civil work only judicial orders requiring investigation made in Court or Chambers shall be entered. Applications for which no investigation is necessary or which are withdrawn, compromised or dismissed before evidence is recorded shall not be entered.

6. The presiding Judge shall state every month in the Column of remarks in his return of original civil work the number of plaints not disposed of by registering return or rejection within one week of presentation. This information need not be included in the general return.

7. The District Judge shall state in the Column of remarks in the return of appellate civil work the number of Appeals which have remained without preliminary hearing and disposal under Sections 551 and 552, Civil Procedure Code, for a longer period than one month.

8. In Districts where the Dekkan Agriculturists' Relief Act is in force, two Columns shall be added to the return of original civil suits for agreements filed under Sections 44 and 45 respectively.

9. In District Courts where there is an Assistant or Joint District Judge or a First Class Subordinate Judge or Small Cause Court Judge, A. P., the suits and appeals for disposal shall be shown collectively against the District Judge and the suits and appeals disposed of against the name of the Judge who disposed of them, arrears at the end of the month being shown collectively against the District Judge. Similarly in Subordinate Courts where there is a Joint Subordinate Judge the suits and applications for execution for disposal and arrears shall be shown collectively and suits and applications disposed of separately against the name of the individual officer who disposed of them.

(Vide *Bombay Government Gazette* for 1901, Part I, pages 76 and 2477.)

column 38, which is meant to provide for cases in which a writ is taken, should be entered only judicial orders from the Court or Chambers. Care should be taken not to include cases where an investigation has been unnecessary for the making of the order, *e. g.*, where a notice has been issued under Section 551 of the Code, and no one has appeared to show cause why the order should not be executed. Applications in respect of which a writ could be taken if they were enquired into, but which have been withdrawn, compromised, or dismissed, should not be entered in column 38.

In the column of "Remarks" in the Monthly Civil Returns, District Courts shall enter a statement of the number of cases which have remained without preliminary hearing and disposal under Sections 551 and 552 of Act X of 1877 for a longer period than one month.

In the Courts which exercise jurisdiction under the Dekkhan Agriculturists' Relief Act (XVII of 1879), two columns should be added to the monthly Civil Returns, showing the number of agreements entered into under Sections 44 and 45, respectively.

There should be appended to this return a statement showing the hours at which the District or Sessions Judge (as the case may be) sits in Court and rises on each working day during the month, with a statement for the Joint or Assistant Judge, if any. The District or Sessions Judge or the Court or Sheristédár should make an entry of the hour at which the Court sits and rises, at the time, each day in a book kept for the purpose, an extract from which book will form a statement appended to the Return.

Similar statements should accompany the subsidiary returns submitted by Small Cause Court Judges, Jáchírdárs, and District Judges, but these need not be forwarded to the High Court.

Any deviation from the rules laid down in Circular No. 1 of 1882 which appears in these statements, should be explained, *e. g.*, where a Judge is prevented from sitting at the usual time by an extraordinary pressure of office or chamber work, or by a local disturbance.

xiii. Cases withdrawn without permission of the Court should be entered in Column 13 of the monthly Civil Return, a note being added in the column of remarks to show how many of the cases entered in Column 13 were so disposed of.

*Monthly Return of Causes and Appeals and Miscellaneous Petitions disposed of and remaining in the District
of 18 during the month of*

Names of Judges.	ORIGINAL SUITS.										APPEALS.										APPLICATIONS FOR EXECUTION OF DECREES.				Miscellaneous Judicial Orders other than those entered in Col. 26.	Remarks.												
	For disposal.		Disposed of.								For disposal.		Disposed of.								For disposal.		Disposed of.				Applications for execution of Decrees remaining undisposed of.	disposed of at the close of the month.	Orders made after investigation.									
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27				28	29	30	31	32	33	34	35	36
	Arrears.	Re-admitted on the File for any cause.	Received by transfer.	Instituted during the month.	Total.	Plaint returned (Section 57).	Dismissed (Sections 97, 98, 102 and 381).	Decided <i>ex parte</i> (Section 100).	Admitted (Section 162).	Connected.	Abated or dismissed (Ch. XXI).	Withdrawn or compromised (Ch. XXII).	Disposed of under Ch. XXXVII.	By transfer or reference to another Court (Section 25 and Bombay Civil Court's Act, Sections 12 and 19).	Total.	Suits on the File at the close of the month.	Arrears.	Re-admitted on the File for any cause.	Received by transfer.	Instituted during the month.	Total.	Disposed of under Section 561.	Dismissed (Section 560).	Decided <i>ex parte</i> (Section 560).	Remanded (Section 562).	Decided on hearing (Section 571).	Abated or Dismissed (Ch. XXI. and Section 582).	Withdrawn or compromised (Ch. XXII. and Section 582).	By transfer to another Court.	Total.	Appeals on the File at the close of the month.	Arrears.	Admitted on the File.	Total.	Disposed of.	Applications for execution of Decrees remaining undisposed of.		

II.

HALF-YEARLY RETURN OF CIVIL CASES PENDING MORE THAN SIX MONTHS IN THE DISTRICT COURTS.

i. A Return in the accompanying form made up to the previous 31st December and 30th June, respectively, for the Court of the Judge, the Joint Judge and the Assistant Judge (if any) is to be submitted on or before the 15th of January and the 15th of July of each year.

ii. The object of this Return is to show the number of Civil cases undisposed of which have been filed for a period exceeding six months; and explanation should be furnished in all instances in which a case has stood over for more than one year. It is not necessary that the number of each pending case should be shown in column 1. The total number of pending cases of the several classes referred to should only be shown in each column.

Half-yearly Return showing the Number of Civil Cases which have been filed for a period exceeding six months, and which are now pending before the District Court of

Number of cases.	On whose file.	ORIGINAL SUITS.				APPEALS.				APPLICATION UNDER SPECIAL ACTS.				Remarks.
		Above 3 years.	Above 2 years.	Above 1 year.	Above 6 months.	Above 3 years.	Above 2 years.	Above 1 year.	Above 6 months.	Above 3 years.	Above 2 years.	Above 1 year.	Above 6 months.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Dated

of

18 .

District Judge.

iii. In columns 11 to 14 are to be entered applications under Regulation VIII of 1827, Act XIX of 1841, Act XXXV of 1858, Act XXVII of 1860, Act XX of 1864, and other special Acts.

iv. Appeals pending before Subordinate Judges with appellate powers should be shown in this Return with a note indicating before whom they are pending.

v. For the purposes of this Return, suits and appeals restored to the file, under Sections 99 and 103 of the Civil Procedure Code are to be treated as old suits.

III.

HALF-YEARLY RETURN OF CIVIL CASES PENDING MORE THAN SIX MONTHS IN THE COURTS OF SMALL CAUSES AND THE COURTS OF SUBORDINATE JUDGES.

i. A Return in the accompanying form made up to the previous 31st December and 30th June, respectively, is to be submitted on or before the 15th January and the 15th July of each year by the Judge of each District for the Small Cause Courts and other Subordinate Courts in his District.

ii. Detailed explanation of the causes of delay should be furnished to the High Court as to all cases which have been pending for more than a year.

iii. Each Subordinate Judge should append to this Return a statement showing the names of the various Subordinate Judges who have presided over the Court during the period covered by any explanation of delay, with the approximate dates on which they joined and left the Courts, so as to enable the High Court to ascertain in whose time any particular adjournment took place.

iv. When a Subordinate Judge holds Court in more places than one, or is the Judge of two or more Courts, he should append to this Return a statement showing at what places and for what periods his Court was held during the period covered by any explanation of delay.

v. For the purposes of this Return, suits restored to the file, under Sections 99 and 103 of the Civil Procedure Code, are to be treated as old suits.

Half-yearly Return showing the number of Civil Cases which have been filed for a period exceeding six months, and which are now pending before the

1	2	3	4	5	6	7
Year.	Total number of cases not taken up.	Total number, part heard and adjourned.	Total number, fully heard and awaiting judgment.	Total number, undisposed of, i. e., Total of columns 2, 3 & 4.	Explanations.	Remarks.
1882						
1883						
1884						
1885						
1886						
Until 30th June 1887.						

Dated of 18 .

Subordinate Judge.

IV.

HALF-YEARLY RETURN OF APPLICATIONS FOR EXECUTION OF DECREES.

i. A Return in the accompanying form made up to the previous 31st December and 30th June, respectively, is to be submitted on or before the 15th January and the 15th July of each year by the Judge of each District for all the Courts in his District.

ii. With the Returns due on the 1st of January the District Judges should send an explanation, in detail, of the cause of delay in the execution of all decrees entered in column 10.

iii. A note of the number of applications for the executions of decrees of the kind referred to in Circular No. 87 above should be made with reference to columns 9 and 10 of this return.

iv. The requisite subsidiary Returns are to be furnished by the Judges of Small Cause Courts and other Subordinate Judges within such time after the close of each half-year as the District Judge may prescribe.

v. In Districts, in which execution of decrees has been transferred to the Collectors, an entry should be made in the column of remarks, showing how many of the decrees entered in column 10 are pending before the Collector, and how many in the Subordinate Civil Courts.

vi. Each Subordinate Judge should append to this Return a statement showing the names of the various Subordinate Judges who have presided over the Court during the period covered by any explanation of delay, with the approximate dates on which they joined and left the Courts, so as to enable the High Court to ascertain in whose time any particular adjournment took place.

vii. When a Subordinate Judge holds Court in more places than one, or is the Judge of two or more Courts, he should append to this Return a statement showing at what places and for what periods his Court was held during the period covered by any explanation of delay.

Return of Applications for the Execution of Decrees in the District of for the Half-year ending the of 18 .

In the Court of	Arrears.	Received during the half-year.		Disposed of.	Balance.	Remaining undisposed of from date of application.					Remarks.
			Total.			Under 3 months.	Under 6 months.	Under 12 months.	12 months and more.	Total.	
1	2	3	4	5	6	7	8	9	10	11	12
Judge											
Joint Judge											
Assistant Judge, F. P.											
Assistant Judge											
Judge of the Court of Small Causes											
Subordinate Judge, 1st Class, at											
Ditto 2nd Class at											
Ditto do. at											
Ditto do. at											
Total											

Dated of 18 .

District Judge.

V. AND VI.

Returns in the Forms of Nos. II and III should be furnished by District and Subordinate Judges, respectively, of all miscellaneous applications of every kind remaining undisposed of for more than six months, with detailed explanation in cases pending over a year.

VII.

FORM OF STATEMENT OF ATTACHED PROPERTY.

A statement of attached property undisposed of at the close of the year should be submitted yearly, not later than 1st February in the accompanying form, to each District Judge by the Small Cause Court and other Subordinate Judges in his District.

*Statement of Attached Property undisposed of at the close
of the year 18 .*

	Moveable.			Immoveable.		
	Rs.	s.	p.	Rs.	s.	p.
In cases after the attachment the judgment-creditor has failed to take the further requisite steps						
In the judgment-creditor has filed a certificate of satisfaction, but the judgment-debtor has not come to recover the property						
In notice of sale issued						
In attachment made within the last month, and sale not yet applied for						
In investigations going on under Section 278, &c., &c.						
In property attached before judgment						
In property of an absconded witness attached						
&c., &c.						
Total						

Dated of 18 .

Subordinate Judge.

VIII.

1. The proceedings of the Small Cause Courts and other Subordinate Courts in cases of contempt should not be shown in the Register of Miscellaneous Applications; but the Subordinate Courts should, at the end of each month, send lists of such cases, if any, in the form of a calendar of criminal cases, to the District Judge for his information.

2. It is not necessary for the District Judges to forward such calendars to the High Court.

IX.

RETURN OF

This Return must be despatched to the High

*Inventory and Value of Property belonging to persons who have died
as required by Reg. VIII of 1827, Sec. 10, Cl. 4,*

No.	Name.	Place of Death.	Date of Appointment of Administrator.
1	2	3	4

Dated

of

18 . .

X.

RETURN OF COURT FEES AND STAMP DUTY PAID ON LETTERS OF ADMINISTRATION, &c.

The District Judges shall keep Registers and submit Returns in the following form on the 1st January of each year. The Returns shall include fees levied for certificates under Regulation VIII of 1827, which should appear in column 2 or 4 according as the certificate is granted, with a will annexed or otherwise. The Returns are required for transmission to the Government of India in compliance with the letter from the Under Secretary to the Government of India in the Financial Department, No. 1350, of the 30th June 1871, and the letter from the Bombay Government, Legislative Department, No. 2659, of the 10th July 1871.

FORM OF REGISTER.

*Probates and Letters of Administration and Certificates issued
in the of*

Declared Value of Assets of Estate.	Number of Probates or Letters of Administration with Will annexed.	Amount of court-fees paid.	Number of Letters of Administration without Will annexed.	Amount of court-fees paid.	Number of Certificates under Act XXVII of 1860.	Amount of stamp duty paid.	TOTAL.		Number of Letters of Administration cancelled, and fresh letters issued in lieu of the original.	Remarks.
							Number of Probates, Letters, and Certificates.	Amount of court-fees and stamp duty paid.		
1	2	3	4	5	6	7	8	9	10	11
From 1,000 to 5,000.										
„ 5,000 to 10,000.										
„ 10,000 to 50,000.										
„ 50,000 to 1,00,000.										
Above 1,00,000 ...										
Total ...										

Note.—It is unnecessary to include in this Return certificates of administration of the property of minors issued under Act XX of 1864.

to be substituted for page 148 of the High Court's Civil Circulars.

X

RETURN OF COURT FEES AND STAMP DUTY PAID ON LETTERS OF ADMINISTRATION, &c.

The District Judges shall keep Registers and submit Returns in the following form for the official year as soon as possible after the 31st March of each year.

FORM OF REGISTER.

Return showing the amount of Court fees levied on Probates, Letters of Administration and Certificates issued in the District of _____ during the year 189 9

Estimated value of assets of estate.	Number of Probates, Letters of Administration with Will annexed.	Amount of Court Fees paid.	Number of Probates and Letters of Administration without Will annexed.	Amount of Court Fees paid.	Number of Certificates issued under Regulation VIII of 1827 of the Bombay Code.	Amount of Stamp duty paid.	Number of Certificates issued under Act VII of 1839.	Amount of Court Fees paid.	Number of Certificates 3 per cent. duty levied on extension thereof.	Amount of Court Fees paid.	Total.		Number of Letters of Administration cancelled and fresh letters issued in lieu of the original.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Rs. 1,000														
Rs. 1,000 to 5,000														
Rs. 5,000 to 10,000														
Rs. 10,000 to 50,000														
Rs. 50,000 to 1,00,000														
Rs. 1,00,000														
Total														

NOTE.—It is unnecessary to include in this Return certificates of administration of the property of minors under Act XX of 1864.

No. _____ of 189 :

Submitted to the Accountant General, Bombay, through the High Court.

Dated _____

14. 61. C.G. 1624 8/31-7-93

XI.

**FORM OF BOOK TO BE KEPT IN COURTS, SHOWING
PAYMENTS MADE UNDER SECTION 35 OF ACT I OF
1879, GENERAL STAMP ACT (*or other law in force*).**

An entry is to be made herein immediately on the receipt of any sum paid under the section.

Date.	Name of party paying the amount and No. of Suit, &c., in which the document is produced.	Description and date of document.	AMOUNT PAID.		
			On account of deficient duty.	On account of penalty.	Total.

XII.

The District Judges should every month furnish to the Collectors of their respective districts a statement, in the accompanying form, of the Stamp duties which are ordered to be refunded to parties in appeals and applications for review of judgment.

Monthly Statement of Refund of Stamp Duty under the provisions of Sections 13 to 15 of Act VII of 1870 (or other law in force).

Number of appeal or application.	Name of party to receive refund.	Amount to be refunded.	Name and designation of officer ordering refund.	Date of order.	Remarks.

CHAPTER XII.

ACCOUNTS.

1. Ten forms of accounts, as follows, are to be kept in all Courts:—

- A1. The Process Fee Book.
- A2. The Bailiffs' Process Service and Receipt Book.
- B1. The General Day Book.
- B2. The General Ledger.
- C. Register of Attached Property.
- D1. The Execution Day Book.
- D2. The Execution Ledger.
- E. The Pass Book.
- F. The Cheque Book.
- G. The Receipt Book.

2. The Process Fee Book (A) will show the process fee receipts and disbursements separately from the other money transactions of the Courts; and the details entered in it need not again be set forth in the General Account Books (B). The examples given in the forms will sufficiently indicate the character of the entries which are required both in this book and in the General Account books in connection with it. It should show all receipts for process, from the commencement of a suit to the complete execution of the decree.

3. The entries given in the Forms (B) will show the nature of the transactions which should be brought to account there. These will include all the money receipts and disbursements of the Court, with the exception of those for which the Execution Books (D) are specially set apart. Items received or paid on account of contingent charges, witnesses' expenses, fines, salary of establishments, and inadequately stamped documents may be taken as illustrations. All entries should be made as concisely as is consistent with the exhibition of necessary particulars.

4. The book (C) is a Register for all property other than money which may come into the Courts' custody or under attachment on applications in the course of a suit whether before or after judgment. It will be noted that proceeds of sales are to be entered in (D).

The following to be substituted for Chapter XII at pages 152 to 176 of the High Court Civil Circulars except Rule 2, page 152, and Forms A1, A2, pages 154 and 155.

1. These Rules and Forms apply to all sums received and paid by a Civil Court in connection with any suit or judicial proceeding.

Application of Rules.

2. Wherever in these Rules and Forms the Nazir is referred to as performing any duty, the term includes any officer of the Court authorized by the Judge to perform the duty in question.

"Nazir" defined.

Lists of Forms.

3. The following Account Forms shall be used.

A. *Book of receipts* for money paid into Court.

B. *Register of unadvised money orders.*

C. *Register of deposit receipts, viz.,* register of sums received in Court in connection with suits or judicial proceedings and deposited with Government (to be kept in duplicate).

D. *Register of deposit payments, viz.,* register of payments from sums received in Court in connection with suits or judicial proceedings and deposited with Government (to be kept in duplicate).

E. *Register of intestate property.*

F. *Register of attached property.*

G. *Register of money received on account of subsistence money of civil prisoners and expenses of witnesses.*

H. *Register of payments on account of subsistence money of civil prisoners and expenses of witnesses.*

I. *Cash Book.*

J. *Ledger.*

K. *Bank or Treasury Pass-book.*

L. *Bank or Treasury Cheque-book.*

M. *Application for refund of lapsed deposits.*

4. In all District Courts, except for special reasons, the accounts shall be kept in English (except Forms A, B, E, F, G, H). In Subordinate and Small Cause Courts they may be kept in English or in Vernacular, but the duplicates of the Registers C, D shall be in English in all Courts.

Language in which the accounts are to be kept.

5. When any person pays money into Court in connection with any suit or judicial proceeding, or when collections of any such money are made by any officer of the Court, such person or officer shall tender such money or collections to the Nazir, who shall cause a receipt to be prepared with counterfoil, according to Form A, and shall obtain the signature or mark of the person or officer tendering the money, on the counterfoil of the receipt. Both original and counterfoil shall be signed both by the officer of the Court receiving the money and also by the Nazir. The counterfoil shall be recorded for reference and the receipt delivered to the person paying the money. When payments are made into Court by an officer of the Court, the receipt shall not be given to him, but shall be kept in the record of the proceedings in reference to which the collection has been made.

6. When money is received by postal money order, without advice from the remitter as to the cause or purpose for which the money has been forwarded, the amount shall be entered in a register (Form B).

Pending receipt of the information necessary to admit of the amount being credited to the cause or account for which the money was remitted, the item shall be transferred from Register B to Register C, the words "Money order suspense account" being written across column 5 of Register C. On receipt of the required information the amount shall be adjusted by entering the item in the manner described above as a payment in Register D, and re-entering the item in Register C or G, as the case may be, as a receipt of that date, the necessary explanation being entered in the column of remarks. A note should invariably be made on the counterfoil of receipts issued in Form A for money received through the post by money order or otherwise, giving a reference to the letter or advice with which the money was forwarded, and if the money order coupon affords information, it should be pasted on the counterfoil of the receipt (Form A). The original receipt, there being no person to receive the same, should be crossed and cancelled and be initialled by the Nazir.

7. In the Register of deposit receipts (Form C) shall be entered :—
Use of Register C.

- (a) All sums deposited with the Court in connection with any suit or judicial proceeding and not to be immediately credited to Government.
- (b) The sums received on account of intestate and attached property as provided for in Rules 11, 12.

8. In the Register of deposit payments (Form D) shall be entered :—
Use of Register D.

- (a) All payments from sums deposited with the Court in connection with any suit or judicial proceeding and not to be immediately credited to Government.

- (6) The payments from sums received on account of intestate and attached property as provided for in Rules 11, 12.

The Nazir before payment shall obtain the payee's signature or mark in column 13 of Register D, both the original and duplicate; but where a receipt stamp is required, it shall be affixed to the former only. Payment shall be endorsed on the copy of the decree or order when such is produced, the endorsement being signed by the officer actually making the payment, and attested by the Registrar or Nazir, who shall also initial the entry of payment in column 14 of Register C and column 11 of Register D.

9. The Registers C and D shall be written up from day to day in duplicate. The original shall remain on the record of the Court, and the duplicate, *which must be kept in English*, shall also be written up from day to day and be forwarded every month to the Accountant General. The original Form C varies from the duplicate of it, as in the latter some columns are added and some are omitted to suit the requirements of the Accountant General's office. In writing up the duplicate Form C for the Accountant General, the columns 1 to 6 only should be filled in, the other columns being left blank for use in the Accountant General's office, but in the office copy of this Register (Original Form C), columns 12, 13 and 14 shall be filled up at once as the transactions occur; and in writing up Form D for the Accountant General, columns 10 and 11 shall be left blank. (*Vide Government Gazette for 1896 Part I page 461*).

10. When the accounts are closed at the end of the day, the total of all the transactions for that day, which are entered in column 8 of Register C, shall be entered in column 11 of that register. The daily total of the transactions in column 9 of Register D shall be similarly entered in column 12 of Register D. The Nazir shall each day check the entries in these registers and initial the same.

11. In the case of property left by persons dying intestate and without known heirs, a register shall be kept in Form E by the Nazir of the District Court, when he is appointed administrator for the management of the property. At the close of each day the total receipts on account of each such estate shall be posted from column 14 of Register E into Register C, and the total payment shall be posted from column 20 in respect of charges, and from column 24 in respect of the disposal of each of the estates, into Register D, quoting in the latter the original credit entry or entries from Register C. The receipts or acquittances for these payments shall be taken in column 13 of Register D.

12. Attached property which may come into the Court's custody in the course of a suit, whether before or after judgment, shall be registered in Form F, and the proceeds, when realized, shall be posted from column 15 of this Register into Register C. When money is attached, it shall be taken direct from Register F to Register C, but a note of this shall be made in Register F when the attachment includes both property and cash. Payments shall be entered direct into Register D, quoting the original credit entry from Register C. A note of the payment shall also be made in the last column of Register F.

13. For subsistence money of civil prisoners and expenses of witnesses, the registers of receipts and payments shall be in Forms G and H, respectively. As these sums are required for immediate disbursement, they need not be deposited in the treasury, but the amounts shall be retained in the cash balance of the Nazir or officer of the Court entrusted with the accounts of money received by the Court. The daily total from column 10 of Register G and column 8 of Register H shall be entered in the cash book, Form I. Items of subsistence money of civil prisoners lapsing to Government under Section 16 of Bombay Act II of 1874, as amended by Bombay Act II of 1882, shall be remitted to the treasury to be credited as a final receipt of Government. The balance of sums recovered on account of expenses of witnesses and remaining unpaid over 12 months at the end of each account year shall be communicated to the Accountant General in the return prescribed in Rule 23 and the amount paid into the treasury as lapsed deposits under the rule quoted.

14. In the cash book (Form I) shall be entered separately on the debit or credit side, as may be necessary—

(a) the daily totals of each of the Registers C, D (which include the daily totals of Registers E, F) and the daily totals of G, H.

(b) such items as are intended to be finally credited to Government; these shall be taken direct to the cash book, and the subsequent payment to Government or refund debited per contra. In such cases only will columns 3, 4, 5, 10, 11, 12 be entered up.

15. All sums that are intended to be finally credited to Government shall be sent to the treasury at frequent intervals during the month, or daily if possible. These remittances shall not be entered in the pass-book (K), and must be sent

Remittances to treasury with chalangas.

separate from sums to be credited to the Court's deposit account mentioned in Rule 19. The Court will receive from the treasury officer an acknowledgment on the chalan presented.

16. The cash book shall be closed and balanced every day. The closing entry shall specify particulars of the balance thus:—

<i>Specification of Balance.</i>		Rs.	a.	p.
In the Treasury	... ..			
<i>Cash with the Nazir.</i>				
		Rs.	a.	p.
2. Deposits, &c., Form C	...			
3. Subsistence money of Civil prisoners and expenses of witnesses, Form G	...			
4. Other sums credited direct in cash book	... ..			
		Total	...	

Entry 1 must agree with the pass-book K, and the aggregate of 2, 3 and 4 should be verified by counting the cash. The Nazir, having ascertained that the transactions of the day have been correctly entered in the cash book and that the arithmetical balance is correct, shall sign the cash book on the left and obtain the signature of the Judge on the right side below the closing entry. In Small Cause Courts, where there is a Registrar, the Registrar of the Court shall be responsible that the amounts have been correctly entered and that the arithmetical balance is correct and shall sign the book every day on the right side below the closing entry. When a Judge presides over more than one Court, or when he is absent from his Court, there being no *locum tenens*, he shall, on his return to his Court, examine and sign the accounts for the days of his absence. In District Courts, where there is an Assistant Judge, he may, by order of the Judge, sign the accounts.

17. The ledger (Form J) is a supplementary record of all sums shown in the Registers C, D. The entries made in C and D shall be posted in J every evening or at latest the first thing the next morning.

18. Transactions with the treasury in regard to the Court's deposit account shall be by means of a pass book (Form K) and by cheques (Form L). Every remittance to the treasury, intended to be credited to the Court's deposit account

Remittances to treasury
with pass-book, Form K.

shall be accompanied by the pass book and a treasury chalan in a form that will be supplied on application by the treasury officer. Entries will be made in the pass-book at the treasury and be receipted by the Accountant and Treasurer when the remittance is under Rs. 500, and by the treasury officer when it exceeds that sum. The Nazir shall not retain, except with the special permission of the Judge, a larger cash balance in his hands than in the case of Subordinate and Small Cause Courts, Rs. 100, and in the case of District Courts, Rs. 200. All sums in excess of this amount shall be paid into the Government Treasury as a deposit with Government. There shall be, as far as possible, a *daily* remittance from the Court to the treasury, and to secure an agreement between the treasury and the Nazir's accounts no portion of the amount entered in Form C shall be retained from deposit on the last working day of the month.

19. Withdrawals from the Court's deposit account with the treasury shall be by cheques (Form L) signed by the Judge or Assistant Judge or (with the approval of Government) the Registrar or the Clerk of the Court. In such cases the District Judge shall inform the treasury officer of the name of the officer authorized, and furnish a specimen of his signature. Whenever it is convenient to make several small payments to different persons, one cheque for the aggregate amount may be issued in favour of the Nazir; but payments to parties, when the amount is large or exceeds a limit to be fixed by the Judge, can be made by a cheque in favour of the payee: but the payee must be informed that payment can only be made at the treasury on the date of issue. If it is late in the day, and there is a possibility that the cheque cannot be presented on the date of issue, it can bear the next day's date. If the currency of a cheque has lapsed, it may be revived by an endorsement thereon for immediate payment, on satisfactory explanation being furnished.

20. There is no objection to payments being made to judgment-creditors and others from deposits received during the day; but when the account is made up in the afternoon, the amount so paid shall be recouped by drawing a cheque which should accompany the cash sent to the treasury and be adjusted on the treasury accounts, so that the gross transactions may pass on to the Government books.

21. The Judge shall arrange to send the pass-book to the treasury during the first week of the month, to be written up, balanced and signed by the treasury officer after verification with the treasury accounts. Whenever the pass-book is presented at the treasury, the cheques paid must be posted in the pass book and the entry attested by the treasury officer.

22. The Court shall, as directed in Rule 9, render to the Accountant General monthly the duplicate registers (Forms C and D), signed by the Nazir and countersigned by the Judge, accompanied by a *Plus and Minus Memo.* in the sub-joined form :—

	Ra.	a.	p.
<i>Plus and Minus Memo.</i> for the month of—			
Opening balance...	...	...	...
Deposits received during the month of—as			
per register submitted...	...	...	...
Total...			_____
Less—			
Deposits repaid during the month of—as			
per register submitted...	...	...	...
Total ...			_____
Balance—			
In Court which I have verified ...	...	...	...
In the Treasury as per pass-book ...	...	...	...
Total ...			_____

Dated

(Signed)

Judge.

These registers will be examined in the Accountant General's Office, and any discrepancies or errors discovered, made the subject of reference to the Judge of the Court, until the several transactions entered in them are passed as correct.

23. In the month of January of each year a list shall be posted up in the court-house, showing the sums of money in deposit with the Court which have remained unclaimed for over twelve months, and the names of the persons to whom they are due; and if no one appears before the 31st of March following to claim the sum due to him, it shall be paid into the treasury to the credit of Government as a deposit unclaimed for the eventual benefit of any person who may duly establish his claim thereto to the satisfaction of the Court. To ensure the lapsed deposits being adjusted at the treasury before the 31st of March, the cheque should reach the treasury not later than the forenoon of that date. In the month of April following, the

Court shall furnish to the Accountant General in Form C, the heading of the form being suitably altered, a statement of the balances written off and credited to Government, prepared from the original register (Form C) and not from the ledger (Form J).

24. Deposits credited to Government under Rule 23 cannot be repaid without the sanction of the Accountant General, but this sanction will be given as a matter of course on proof that the item was really received, was carried to credit in the Government accounts as a lapsed deposit, and is now claimed by the person who was entitled to draw it before the lapse, or his heir. Applications for refund shall be made in Form M by the Judge to the Accountant General, who, if the credit for the amount is exhibited on his books, will authorize payment and return the document to the Judge for delivery to the party concerned, who should personally, or by an agent, claim payment from the treasury. These refunds will not be brought on the Court's accounts. On receipt by the Court of the Accountant General's sanction, a note of the number and date thereof shall be made against the original entry in Register C.

Instructions.

1. It will be noticed that the present Rules and Forms apply solely to moneys received and paid by Civil Courts in connection with suits or Judicial proceedings. They do not apply to moneys received and paid by a Nazir in the administration of a minor's or lunatic's estate. The administration by the Nazir of any such estate will continue to be under the supervision of the Judge.

2. In the same way, the Rules and Forms do not apply to Government money which has been paid into, or drawn from, the treasury on account of pay or other allowances of judicial establishments. In respect of such Government money, District and Subordinate and Small Cause Court Judges are bound to carry out such orders as may be issued from time to time by Government, or the Accountant General acting under Government orders. As illustrations of other items not appearing in the Civil Court accounts, the following may be noted :—

(a) Expenses of witnesses and jurors and assessors, and pleaders' fees, in criminal cases.

(b) Purchase and sale of dead stock articles.

(c) Rent and Municipal taxes.

(d) Travelling allowances to members of the establishment.

(e) Law Library Fund. [The balance of this fund can be kept in the name of "the Nazir of the Court" in the Post Office Savings' Bank.]

(7) Departmental fines inflicted on members of the establishment.

3. Turning to the forms:—A supply of blank bilingual forms (English and Vernacular) can be obtained by indent on the Government Central Press. The book of receipts (Form A) will be in bound books of 500 forms, each receipt and counterfoil being serially numbered. If found more convenient, two or more books may be used at the same time, each being distinctively marked.

4. It will be noticed that the Registers A, B, E, F, G, H may be kept in all Courts in English or Vernacular. In District Courts the Forms C, D, I, J, K, L must be used in English only, and there need be no difficulty in this respect, as no person not possessed of a good knowledge of English can be appointed Nazir of a District Court. (Circulars, 140 (v), page 100). In Subordinate and Small Cause Courts, all the accounts may be kept and the forms used in the Vernacular; but the duplicates of the Registers C, D (which must be written up both original and duplicate *from day to day*) must be submitted every month *in English* to the Accountant General. As the forms are bilingual, this will not be difficult, if care and supervision are exercised by the Judges of the Subordinate and Small Cause Courts. The application for refund of lapsed deposit (Form M) is in English only, and will be filled up in English in all Courts.

5. Most of the forms are practically the same as those heretofore in use. The Registers of receipts and payments on account of subsistence money of civil prisoners and expenses of witnesses (G, H) are new; and instead of the old general day-book and general ledger (B1, B2) and execution day-book and ledger (D1, D2), we now have:—

Registers of receipts and payments of sums *deposited* in Court in connection with suits or judicial proceedings, (C, D);

Ledger of the same (J);

Cash-book (I).

6. It will be noticed that moneys paid into Court in connection with suits or judicial proceedings are divided under two heads:—

(a) Sums, to be credited at once to Government:—such as—

(1), fines inflicted by a Civil Court under Section 480, Criminal Procedure Code, or under Chapter XIV, Civil Procedure Code; [fines inflicted by a Sessions Court cannot appear in Civil Court accounts;]

(2), penalties for insufficient stamp-duty;

(3), comparing fees;

(4), fees for copies made by paid members of the establishment, and credited to Government (Circulars 133 (vii), page 91) [Nos. (3) and (4) though not necessarily paid in connection with a suit or judicial proceeding should always be shown in these accounts ;]

(5), commission fees paid for work done by Government servants during office hours (Circulars 35, page 22) ;

All these items should be taken direct to the cash book (Form I).

(b), Sums, deposited with the Court, intended to be paid to some person, but which, if not so paid and unclaimed, lapse to Government :—such as—

(1), Sums received on account of subsistence money of civil prisoners and expenses of witnesses. These are generally disbursed at once ; they are shown in Registers G, H, the daily totals, without any details, being taken direct to the cash book (Form I).

(2), Sums received on account of intestate property (Form E), the daily items, without details, being shown *seriatim* in the deposit Registers (C, D).

(3), Items of attached property, viz. cash, and the proceeds of property, other than money which has been attached (Form F), the daily items without details being shown *seriatim* in the deposit Registers (C, D).

(4), Sums paid in connection with suits or judicial proceedings, and not appearing in the abovementioned registers, but taken direct to the deposit Registers (C, D).—such as sums paid in execution of decrees, commission fees, moneys deposited for keep of attached cattle, for salary of additional bailiffs, for succession certificates, and the such like.

7. The Register of intestate property (E) is for use in District Courts only. It is distinct from the return of intestate property (Form IX, Circulars, pages 146, 147). Items referring to the same estate, but entered on various dates, should always refer back to the original entry of the estate, which should contain in the column of remarks a reference to all subsequent entries.

8. In the same way with the Register of attached property (F) :—Entries, referring to the same attachment but occurring at various dates, should always show a reference to the original entry. It must be understood that this Register F in no way supersedes the Register of applications for execution of decrees (Form XVII, Circulars, pages 188, 189) or the Register of suits (No. 116, Sch. IV, Civil Procedure Code), the columns in which relating to execution must be duly filled in.

9. With reference to Rule 13 and Forms G, H, it should be understood that the amounts retained by the Nazir for subsistence money of civil prisoners and expenses of witnesses are in excess of the cash balance referred to in Rule 18. The Bailiff's Process Service and Receipt Book (A2, Circulars, page 155) is retained; but with respect to the 12th column of that form, the money returned by the Bailiff should be re-entered in Register G, unless handed over at once to the party or pleader. (Circular No. 1177, 17th September 1885). In the case of expenses of witnesses sent to, or received from, other Courts, the necessary information can be easily shown in the Registers G, H. Where any sum on account of expenses is paid to a witness in Court in the course of the suit or proceeding, and a receipt is taken there and then and filed in the record, no entry need be made in Registers G, H. The few instances, covered by the Circular No. 26, page 15, should be shown in the Registers G, H.

10. It will be noticed that while remittances of money to be credited at once to Government are sent to the treasury with a chalan only (Rule 14), remittances of money to be credited to the Court's deposit account are sent to the treasury with the pass-book and a chalan (Rule 18). The last working day of the month referred to in Rule 18 is, in the case of sub-treasuries, usually the 25th, except in March, when they close on the 31st. Special provision will be made for the few cases in which there are no sub-treasuries at the places where the sub-courts are held.

11. The ledger (J), it will be noticed, will not contain any entries of any moneys not to be found in the deposit Registers C, D. The list of lapsed deposits (Rule 23) must be prepared from the Registers C and G, and not from the ledger. Prefixed to the ledger there should be an index in rough alphabetical order showing the names of the defendants or persons paying the moneys, the corresponding pages of the ledger, and the numbers of the suits or proceedings.

It is not necessary to have accounts in the ledger corresponding to the intestate and attached property Registers (E, F).

12. Copying and translations fees, which are paid to the sectioners and translators and are not credited to Government, will not be shown in these accounts at all. The rules at present in force regarding these moneys hold good.

13. It will be the duty of the Judge of every Court to call occasionally for the Registers and accounts, and satisfy himself that the entries have been carefully and properly made. When such inspection is made, the Judge should note the fact with his own hand on the Register or account inspected.

FORM A.

Book of Receipts.

No.

Amount (in words and figures)

Received from*

No. of Suit, Darkhast or other Proceeding.

Other particulars.

Amount.

No. of Suit, Darkhast or other Proceeding.

On what account.

No.

Received from*

FORM A.

Book of Receipts.

No.

Received from*

No. of Suit, Darkhast or other Proceeding.

On what account.

* Enter the name of the party who is tendering the amount into Court, also the amount in words.

Date

Signature or mark of person making the payment,

Officer receiving the money.

Date

Station

Officer receiving the money,

Nazir,

Nazir,

Register of sums received by Money Order without advice from Remitter.

COURT

Date of receipt of Money Order.	No. of Receipt, Form A.	Amount.	By whom remitted and Post Office.	How disposed of and Date.	Initial of Nazir.
1	2	3	4	5	6

REGISTER OF DEPOSIT RECEIPTS.

Register of Receipts of sums received in Court in connection with Suits or other Judicial Proceedings and deposited with the Court.

[illegible]

FORM D.

REGISTER OF DEPOSIT PAYMENTS.

*Register of Payments from Sums received by the Court in connection with Suits or Judicial Proceedings
and deposited with the Court for the year _____*

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Date of present repayment.	Consecutive Number of Items.	Reference to en- try in Register C.		Number of Suit or Judicial Proceeding.	Amount or Balance of Deposit.	To whom paid.	Particulars, if any.	Amount paid.	Page of Ledger.	Initial of Master or Registrar or Chief Ministerial Officer.	Daily total carried to Cash Book, Form 1.	Signature or mark of the party receiving payment.	Remarks.
		Date.	Entry Num- ber.										

Register of Intestate Property kept in the District Court of

for the year 189 .

Consecutive Number of Estate.	1	2	3	4
Name, Village (with Taluka), estate and approximate age of the deceased.			Date of Death.	Date of receipt of Property.
Particulars of Property and estimated value of the same.	Movable (except Cash).	Estimated value.	Immovable.	Estimated value.
	Cash.	Rs a.p.	Rs a.p.	Rs a.p.
	9	8	7	6
	Date and entry of Credit of Cash in Register, Form C.	10	11	12
	Date of Proclamation.	13	14	15
	Amount. Date and entry of credit in Regis- ter, Form C.	16	17	18
Total of Columns 9 and 14.				

FORM E.—continued.

Charges incurred		In the District Court.		Balance in Cash after deducting the charges.		Property how disposed of, i.e., amount credited in the Government Treasury or the Property and the amount made over to the heir of the deceased.				Acknowledgment of the person taking delivery or receiving the amount.		Initial of the Nazir.		Remarks.	
For what purpose.	Amount.	Dates and entries of debit in Register, Form D.	Total.	Balance in Cash after deducting the charges.	Date.	Property returned.	Amount paid.	Entry of debit in Register D.	To whom returned or paid.	Acknowledgment of the person taking delivery or receiving the amount.	Initial of the Nazir.	Remarks.			
17	18	19	20	21	22	23	24	25	26	27	28	29			
	Rs. a. p.			Rs. a. p.											

Register of Attached Property for the year

20

FORM G.

Register of Receipts on account of Subsistence Money of Civil Court Prisoners and Expenses of Witnesses.

1	Date of receipt.	2	Consecutive number of item.	3	No. of receipts, Form A.	4	Name of the person who paid the money.	5	On what account i.e. subsistence or expenses.	6	Number.	7	Year.	8	Number of Witnesses or Civil Prisoners.	9	Amount of Deposit.	10	Daily total carried to Cash Book, Form I.	11	Date.	12	Amount.	13	Date.	14	Amount.	15	Remarks.
---	------------------	---	-----------------------------	---	--------------------------	---	--	---	---	---	---------	---	-------	---	---	---	--------------------	----	---	----	-------	----	---------	----	-------	----	---------	----	----------

FORM H.
Register of Payments on account of Subsistence Money of Civil Court Prisoners and Expenses of
Witnesses for the year 189 .

Date of Payments.	Consecutive number of Item.	Reference to Re- gister, Form G.		To whom paid.	On what account, i.e., Subsistence or Expenses.	Amount paid.	Daily total carried to Cash Book, Form I.	Acknowledgment of Recipient.	Remarks.
		Date.	Entry num- ber.						
1	2	3	4	5	6	7	8	9	10
						Rs. a. p.	Rs. a. p.		

FORM I.

Cash Book of the Court of

CREDIT.										DEBIT.				
Date.	Reference Number of		From whom received.	Particulars.	Amount.	Daily Total.	Date.	Reference Number of		To whom paid, &c.	Particulars.	Amount.	Daily Total.	
	Register.	Item.						Register.	Item.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
						Rs. a.p. Rs. a.p.						Rs. a.p.	Rs. a.p.	

FORM J.

Page 5.

Page 10.

Ledger for

Case No.	Year	Case No.	Year
Plaintiff—		Plaintiff—	
Defendant—		Defendant—	

Month and Date.	CREDIT.		Month and Date.	Balance.	DEBIT.		Balance.
	Entry No. of Register C.	Amount.			Entry No. of Register D.	Amount	
1	2	3	1	6	4	5	6
		Rs. a. p		Rs. a. p.		Rs. a. p.	Rs. a. p.

FORM L.

No.	Court.	No.	Court.
	189		189
To	...	...	
	...	To.	
The Treasury Officer at	...		
	...	The Treasury Officer at	
Amount of cheque Rs.*	...		
	...	Please pay to	
In whose favour	...		
	...	the sum of Rupees *	
On what account	...		
	...	and debit the same to "Civil Court Deposits."	
	...	Rs.	
Nazir.	...	Nazir.	
	...		
	Judge.		Judge.
189	...		

* The amount to be entered in words here.

FORM M.

Application for Refund of Lapsed Deposit.

To

THE ACCOUNTANT GENERAL, BOMBAY.

Dated _____ 189 ³

SIR,

I have the honour to report that a claim has been preferred by _____
for lapsed deposit No. _____ of 189 -9 , for Rupees _____
included in my list of Deposits which lapsed on the 31st March 189 .

2. I have satisfied myself of the validity of the claim, and request that the Treasury Officer may be authorized to make the refund.

I have the honour to be,

Sir.

Your most obedient Servant,

Judge.

No.

OF 189 ,

DEPARTMENT.

The Collector of _____ is authorized to pay Rupees _____ on account of the lapsed deposit mentioned above and debit the amount as a direct entry in the Treasury Cash Book,

Accountant General's Office,
The Bombay, 189 . }

Accountant General,

Forwarded to the _____ Judge for delivery to the claimant,

TREASURY.

Voucher No. _____ of List of Payments

for _____ 189 ,

Received this _____ day of _____ 189 , the sum of Rupees _____ only.

Stamp, if required.

(*Claimant's Signature*).

Examined and entered.

Accountant

Pay Rupees _____

Officer in charge of Treasury.

The following Circulars and Forms to be cancelled :—

Circular No. 144 (i), (iii), (xi) at pages 102 and 103 of the High Court Civil Circulars.

Circular No. 178, page 130, High Court Civil Circulars.

and

Form XCIII, page 258, High Court Civil Circulars.

Circular No. 179 at page 131 of the High Court Civil Circulars to be amended as follows :—

All moneys received or disbursed by the Nazir on account of any minor's estate of which he is administrator shall not be entered in the Court's accounts, but he shall keep a separate account of his administration of each such estate under the supervision of the Judge.

(*Vide Government Gazette for 1895, Part 1, pages 1009-1021*).

Instructions issued by the High Court for the guidance of the Civil Courts subordinate to it in regard to depositing into Court of compensation money under Section 31, Clause (2) and for the investment of such deposits under Sections 32 and 33 of the Land Acquisition Act I of 1894.

I. When a Collector, acting under clause (2), Section 31 of Act I of 1894, deems it expedient to deposit in Court the amount of the compensation money therein referred to, he will remit the same by means of a cheque in favour of the presiding officer of the Court or a receipt duly endorsed to him payable by order of the Court to the credit of Civil Court Deposits. The cheque will be accompanied with a receipt in triplicate, one of which shall be retained by the Court for record, and the other two returned duly signed to the Collector.

II. Every sum deposited in the manner prescribed in paragraph I shall be entered on the date of such deposit in the Register of Deposit Receipts Form C published at page 205 of the Bombay Government Gazette for 1893, Part I.

III. Every cheque or receipt relating to such deposit shall be forwarded duly endorsed, if possible, on the day on which the deposit has been entered in the Register of Receipts or on the following day at the latest unless such day is a Sunday or a close holiday to the nearest Treasury office to be credited to the Civil Court Deposits Account.

IV. If after making the enquiries laid down in Sections 21 to 25 of the Act, the Court upholds the award of the Collector, it shall proceed to make the payments to the party or parties concerned by cheque on the Treasury office where the deposit has been made under the last foregoing paragraph.

V. If an award is made in favour of more persons than one, and one or more of such persons not assenting to it have preferred an appeal against such award, and desire for reasons to be stated by him or them in writing that the amount of the deposit should not be distributed among the others, he will apply without unnecessary delay to the Court making the award which may either make an order deferring payment until the disposal of such appeal or make payments under its award on such terms as to security or otherwise as it thinks fit.

VI. The application referred to in the last preceding paragraph may be made to the Court in which the appeal has been filed, and such Court may make such order as to payment or otherwise on such terms as it thinks fit.

VII. When the award of the Court has been confirmed on appeal, the Court in which the deposit has been made shall on receipt of the order of the Appellate Court, and on application made by the party or parties interested, proceed to pay the amount in the manner prescribed in paragraph IV.

VIII. If after making the necessary enquiries referred to in paragraph IV, the Court makes an award in excess of the amount deposited by the Collector, and the Collector has paid such excess together with the interest prescribed by Section 28 of the Act, the Court shall follow the procedure in paragraphs II to IV.

IX. If the Collector prefers an appeal against the order of the Court making an award in excess of the amount deposited by him, he will give notice thereof to such Court which may stay further proceedings until the disposal of such appeal.

X. If the Appellate Court either varies or confirms the award of the lower Court, the latter on receipt of the order on appeal shall, after the Collector has made further deposit, if any, on application by the party or parties interested, proceed to make payments in conformity to such order, having regard to the rules herein before laid down.

XI. When a Court deems it expedient to invest under Section 32, clause (a), the amount deposited with it under Section 31, clause (2), in land or lands, it shall communicate with the Collector or other Revenue authority giving the particular description of title and conditions of ownership of the land or lands proposed to be purchased. The Collector or other Revenue authority will thereupon proceed to ascertain what land or lands can be so purchased and make a report to the Court specifying in detail the particulars of title, conditions of ownership together with the area, boundaries and site of such land or lands, and its or their price which should be as nearly as may be equal to the amount of the deposit.

XII. On receipt of the Collector's report, the Court will forward a copy thereof to the party or parties interested together with a notice calling upon him or them to file in writing within eight days after service thereof his or their objections to the purchase of the proposed land. The time for filing such objections may for sufficient reasons be extended so as not to exceed two months in all from the date of the first notice.

XIII. If the objections are filed by the time prescribed, the Court will fix a day for considering them, and after hearing the party or parties concerned may make such order as it thinks fit,

XIV. If no such objections are filed within the prescribed time, the Court will, after satisfying itself that the notice was duly served, authorize the Collector in writing to purchase the land or lands on behalf, and in the name of the person or persons interested, unless it sees sufficient reason to the contrary.

XV. On receipt of such authority, the Collector will cause a draft of the conveyance to be prepared, and send the same for the approval of the Court.

XVI. On receipt of such draft, the Court shall forward a copy of it to the party or parties interested together with a notice calling upon him or them to suggest any alterations or additions which might be deemed necessary, and return the copy within 15 days after service of such notice. If such party or parties fail to suggest any additions or alterations by the time aforesaid or within such further time as the Court may grant for sufficient reasons, the Court will return the draft to the Collector duly approved or with such alterations or additions as it may of its own motion deem necessary to make.

XVII. If the party or parties referred to in paragraph XVI or their legal representatives submit within the time prescribed to the Court an amended draft, the Court shall fix a day for the consideration of the proposed alterations or additions and after hearing such parties as may wish to be heard or their legal representatives decide whether the proposed alterations or additions should be allowed or not and make such other alterations or additions as it may deem fit. The Court will then return the draft to the Collector to be engrossed.

XVIII. As soon as such draft is engrossed, and the vendor is ready to execute it, the Collector shall intimate the same to the Court which will remit to the Collector by cheque the amount of the purchase money.

XIX. The Collector will, before payment, cause the conveyance to be duly stamped and executed and after taking over possession from the vendor will forward the conveyance to the Court which will make it over to the person or persons interested or his or their duly authorized representative, and refer him to the Collector for possession.

XX. When a Court acting under Section 32, clause (b), or Section 33 deems it expedient to invest the amount deposited with it in Government securities, it shall communicate its intention to the Accountant General specifying the amount to be invested. The Accountant General, on receipt of such communication, will make his report to the Court as to the value of the Government securities that can be purchased for the amount specified. (See *Government Gazette* for 1896 Part I, p. 852).

XXI. On receipt of such report, the Court shall, as soon as may be, remit the amount deposited with it for the investment referred to in the last foregoing paragraph to the Accountant General who will thereupon make the necessary investment, and remit the balance, if any, to the Court to be held in deposit at the Treasury, retaining the investment in his custody, subject to the further order of the Court. (See *Government Gazette* for 1896 Part I, p. 852).

XXII. When a Court acting under Section 32, clause (b), or Section 53 deems it expedient to invest the amount deposited with it in approved securities other than Government securities such as Port Trust or Municipal Bonds, it shall purchase out of the amount deposited such of those securities in which in its opinion it could for the time being be most profitably invested, and lodge the same with the Accountant General to be held by him subject to the further order of the Court.

XXIII. Every payment made by the Court out of the amount deposited under the foregoing paragraphs shall be entered in the Register of payments kept in accordance with Form D published at page 205 of Bombay Government Gazette for 1898, Part I.

(Vide Government Gazette for 1895, Part I, pages 1,276 and 1,277).

The following Supplementary Rules and Forms regarding Copying and Translation Fees for the guidance of all District and Subordinate, and Small Cause Courts are to be added at the end of the substituted Chapter XII of the High Court Civil Circular Order Book.

1. Applications for copies with deposits should be received by the Record-keeper, but if the record from which the copy is required is in the Court and not in the record-room the application will be passed on by him to the Sheristidar or other Officer appointed by the Judge, after he has entered it in the register of applications and has entered the fee in the daily fee book as provided in rules 3 and 4.

2. In every case in which the application cannot be granted as a matter of course the order of the Judge should be taken and endorsed on the application.

3. Each application should be initialled and endorsed by the Record-keeper with the date of presentation and the amount of deposit. It should then be entered in the Register of Applications for copies (Form XCII, Circulars, page 257 as now amended) which should be kept in the Record-keeper's Office.

4. The deposit fee should at once be entered in the Record-keeper's Daily Fee Book, which should be kept in the following form :—

Daily Fee Book.		
Month and Date.	Serial No. in the Register of Applications for copies.	Amount.

5. Deficit amount, if any, when subsequently received, should be endorsed on the application and at once entered in the Daily Fee Book.

6. At the close of the day the Record-keeper should take the endorsed applications and the money together with the Daily Fee Book to the Nazir and hand over the money to him and take the Nazir's signature on the Daily Fee Book. The Nazir should compare the endorsements on the applications with the entries in the Daily Fee Book before signing it.

7. The Nazir should keep a Deposit Fee Account containing the following columns :—

(a). Balance at the close of the month.

Receipts.

(b). Amount deposited during the month as per Daily Fee Book.

(c). Total of columns (a) and (b).

Disbursements.

(d). Copying and other fees as per abstract for payment of Sectioners.

(e). Amount refunded to Depositors.

(f). Comparing and other fees to be credited to Government.

(g). Cost of paper to be credited to Government.

(h). Copying fee remitted to the Court in which the copy is made.

(i). Total of columns (d) to (h).

(j). Balance at the close of the month.

Total of columns (i) and (j) should agree with column (c).

8. The amount of the daily fee receipts taken from the Daily Fee Book should be credited daily on the receipt side of the Nazir's Cash Book I, and all sums sent to the Treasury debited in the same book on the debit side. In the same manner all sums withdrawn from the Treasury should be credited in the Cash Book I and payments to copyists and others debited in that book. All remittances to the Treasury should pass through register (C) deposits and withdrawals through register (D). The payments to the Treasury should be supported by the Treasury Officer's acknowledgment in the Court's pass book and the payments to sectioners and refunds to applicants by the abstract of copying fees.

9. The Deposit Fee Account should be closed by the Nazir monthly, the total of the fee receipts in the fee book being entered in column (b) of the account which with the fee book, the pass book, and the abstract for payment of sectioners should be placed before the Judge for scrutiny and signature.

10. Rule 135A, Circulars, page 95, regarding unclaimed balances is still in force and should be followed.

11. The following are the columns in the amended Form XCII.

1. Serial No.
2. Date of application.
3. Name of applicant.
4. Record from which the copy is required.
5. Amount of deposit with application.
6. Deficit, if any, and date of receipt.
7. Total of columns 5 and 6.
8. Name of copyist to whom duty of making copy is entrusted.
9. Date on which copy was ready.
10. Date on which copy was delivered.
11. Copying fee.
12. Correspondence fee (if any).
13. Comparing fee.
14. Cost of paper.
15. Amount refunded (if any).
16. Lapsed amount (if any).
17. Total of columns 11—16.
18. Signature of the person receiving the copy.
19. Signature of the Record-keeper.
20. Remarks.

12. The above Rules and Forms apply *mutatis mutandis* to Translation Fees.

(Vide Bombay Government Gazette for 1901, Part I, pages 1363 and 1436).

Note—Rule 12 of the Instructions accompanying the Rules and Forms of the Civil Courts' Account of 1893 (para. 14 of Circular No. 564 dated 14th March 1893) is cancelled.

5. The Execution Account Books (D) are for all money received or disbursed in execution of applications in the course of a suit, whether before or after judgment.

6. The Day Books (B1 and D1) should be signed daily by the Judge or in District Courts by the Assistant Judge.

7. The Pass Book (E) is to check payments in and out of Government Treasuries.

8. Whenever money is sent to the Treasury for credit in the Pass Book (E) there should be made in B1 or D1, as the case may be, a double entry as follows :—

<i>Dr.</i>	<i>Cr.</i>
To credit taken in Pass Book E for cash sent to Treasury.....Rs. 50	By cash sent to Treasury for credit in Pass Book E .....Rs. 50

Whenever money is withdrawn from the Treasury there should be a similar double entry as follows :—

<i>Dr.</i>	<i>Cr.</i>
To cash received from Treasury by debit in Pass Book E .....Rs. 50	By debit in Pass Book E on account of cash drawn from Treasury .....Rs. 50

At the end of each day, details of the balance should be given, showing how much of it is in cash and how much in the Treasury.

9. The Cheque Book used for withdrawal of money from Government Treasuries should be in the Form F.

10. In the Vernacular Account Books, ruled columns are to be used for Rs. a. p. The practice adopted by Native shop-keepers is not to be followed.

11. The Receipt Book (G) is to be used for all money paid into or out of Court, and should be signed by the officer or person receiving the money.

Form A 1 at page 154 of the Civil Circulars is published (see Government Gazette for 1890, Part I, No. 25).

Seal
of the
Court.

A 1.
STATEMENT OF FEES received on account of PROCESS in CIVIL CASES, &c., in the Court, of the
for the year 18

1 Date of Receipt of Fees	2 In what Case received.	3 Date of the Orders.	4 Summonses, Notices, Warrants, &c.	5 Amount of Claims.	6 Name of the Person who paid the Fees.	7 Amount of Fees in Stamps.		Na or or en exc.
						Rs.	a. p.	
1878.								
5th January.	Suit No. 10 of 1878	4th January.	Summonses for the attendance of the Defendant.	500	Shridhar Ransod, Vakil of the Plaintiff.	0	8	0
"	Suit No. 9 of 1878	3rd do.	Summonses to two Witnesses on behalf of the Plaintiff.	25	Govind Gopal ...	0	4	0
"	Darkhast No. 8 of 1878 for the execution of a Decree.	4th do.	Warrant for the apprehension of the Defendant.	25	Hari Narayan ...	0	4	0
"	Petition, Miscellaneous, No. 10 of 1878, against the Darkhast No. 8 of 1878, for the execution of a Decree.	3rd do.	Summonses for the attendance of the Plaintiff, Raghunath Khandu.	25	Petitioner, Shridhar Bapuji.	0	2	0
						Rupees...		
						1	2	0

All the stamps have been punched.

[Signature of the Na]

[Signature of the

STATEMENT of fees received on account of PROCESS IN CIVIL CASES &c., in the Court of
of the
Court,
for the year 189 .

Date of receipt of process fee	In What case the process fee received.		Date of order to issue process.	Date on which pleader or party is informed to pay the process fee.	The nature of process and the No. of persons	Name of the person who paid the process fee.	Amount of fees in stamps	REMARK.
	In cases in which appeal lies, under Section 586 C. P. Code.	Cases not provided for in the preceding Col.						
1	2	3	4	5	6	7	8	9

All the stamps have been punched.

[Signature of the Nazir.]

Service and Receipt Book for the Court of for the year 18

KINDS OF PROCESSES WITH THIS IF THE CASES THEY REFER TO.		Signature of Bailiff acknowledging the receipt of processes and money.	Date on or before which the Bailiff is to return.	Date on which the Bailiff actually returns or processes posted by him are received.	Processes served.	Processes not served.	Remarks.					
with which no money is given.	Processes with which money is given.											
1	2	3	4	5	6	7	8	9	10	11	12	
14th August 1885.	Genu bin Haribe, Shinde.	Paun Maval.	10 Defendants' Summonses: 3 7 150 84 85 85 2 3 5 6 Notices. 11 240 70 85 84 85 4 1 1 11 Proclamations of sale. 100 106 200 85 85 84 3 3 3 40 75 200 27 Processes.	10 Summonses to witnesses 40 75 200 85 85 85 5 6 Rs. 1-4, Rs. 2, Rs. 2-8 10 Processes and Rs. 6-12	Received 37 Processes and Rs. 6-12 (five rupees and twelve annas) Genu bin Hariba Shinde.	25th August 1885.	23rd August 1885.	8 Defendants' Summonses. 3 7 150 84 85 85 1 3 4 4 Notices. 11 240 70 85 84 85 2 1 1 11 Proclamations of sale. 100 106 200 86 85 84 3 3 3 40 75 200 7 Summonses to witnesses. 40 75 200 85 85 85 3 1 3 30 Processes.	2 Defendants' Summonses. 3 7 150 85 85 85 1 1 2 Notices. 11 240 70 85 84 85 3 Summonses to witnesses. 40 75 200 85 85 85 2 1 Ra. 0-8-0 Ra. 1-0-0 7 Processes.	27 Processes and Rs. 1-8 (one rupee eight annas) Harl Narayan Karjun.	Amount of money returned by Bailiff and signature of the Nazir or Karjun in support of entries in Columns 8 to 11.	Ra. 1-8-0 credited on page 24 of the Daily Account Book

Dr.

DAY BOOK OF GENERAL RECEIPTS AND DISBURSEMENTS of the
for the year 18 . 5th January,

	Rs.	a.	p.
To balance of last day	12	0	0
<i>Establishment Allowance.</i>			
Amount drawn from the Collector's Treasury by Sadashiv Govind on account of Pay for December (Ledger, page 1)	159	0	0
<i>Fine Fund.</i>			
Fine recovered from Shripat Vitthal, under § 435 of the Code of Criminal Procedure, for contempt of Court, in Case No. 227 of 1878, in which he was Plaintiff (Ledger, page 2)	5	0	0
<i>Contingent Charges.</i>			
Advance drawn by Vinayak Raghunath from the Collector's Treasury to meet the charges for this month (Ledger, page 3)	20	0	0
[Vakil Shridhar Babji.]			
Amount received from him on account of maintenance and travelling allowances of three witnesses summoned on behalf of the Plaintiff in Case No. 2 of 1876 (Ledger, page 2)	5	0	0
<i>Stamp Fees.</i>			
To amount received from Mahipatray Govind, the Plaintiff, in Case No. 4 of 1878, on account of a deed of sale, dated 10th September, 1875, produced at his requisition by the witness Narayan Shrikrishna, bearing an insufficient stamp of 2 annas	0	8	0
Ditto on account of Fine of ten times the amount of the deficiency (Ledger, page 3)	5	0	0
	5	8	0
Carried over ...Rs.	206	8	0

Seal
of the
Court.

Cr.

Court of the of in the District of
1888, (corresponding native date).

Establishment Allowances.

By Cash paid to the undermentioned Kárkúns and
Peons, being their salary for the month of December
18 , as per Abstracts duly signed by them (Ledger,
page 1) :—

Kárkúns.

Jaganáth Anandráv ...	...	40	0	0
Dado Rájárám...	...	20	0	0
Rámchandra Ganesh...	...	16	0	0
Krishnáji Náráyan ...	...	10	0	0

86 0 0

Peons.

Ráma bin Abá, Náik ...	...	9	0	0
Bápu bin Hari...	...	8	0	0
Naro bin Bhiku ...	...	8	0	0
Rávji bin Santáji ...	...	8	0	0
Gopála bin Bahiru ...	...	8	0	0
Tátyá Eshwant ...	...	8	0	0
Jivá bin Gunáji ...	...	8	0	0
Náráyan bin Kusáji ...	...	8	0	0
Khandu bin Ránu ...	...	8	0	0

73 0 0

159 0 0

Carried over ...Rs. 159 0 0

Digitized by Google

Seal
of the
Court.

Cr.

Court of the _____ of _____ in the District of _____
1888, (corresponding native date).

	Rs.	a.	p.
Brought over ...Rs	159	0	0
<i>Fine.</i>			
Paid into the Collector's Treasury through Rāma bin Abā, Nāik, as per Pass Book, being the fine imposed on Shripat Vitthal, the Plaintiff in Case No. 297 of 1878 (Ledger, page 2)	5	0	0
[<i>Vakil Shridhar Bābji.</i>]			
Paid Bāpu bin Yesu, Peon, for the maintenance and travelling expenses of three witnesses summoned in Case No. 2 of 1878 (Ledger, page 2)	5	0	0
<i>Contingent Charges.</i>			
— Paid Mahomed Sulaman for the following articles of stationery bought from him :—			
2 reams of French paper, at 3 Rupees per ream	6	0	0
1 ditto of foolscap (Ledger, page 3)	6	0	0
	12	0	0
<i>Stamp Fees.</i>			
Paid into the Collector's Treasury on account of the insufficient value of the stamp of the deed of sale produced by the witness Nārāyan Shrikrishna, in Case No. 4 of 1878, at the requisition of the Plaintiff, Mahipatrāv Govind	0	8	0
Ditto on account of the fine levied for the same (Ledger, page 3)	5	0	0
	5	8	0
Total disbursement... ..	186	8	0
<i>Balance, viz. :—</i>			
On account of Fine Fund	12	0	0
Ditto Contingent Charges	8	0	0
	20	0	0
Total ...Rs.	206	8	0

[Signature of the Nazir.]
[Signature of the Judge or Assistant Judge.]

B 2.

LEDGER OF GENERAL RECEIPTS AND DISBURSEMENTS OF THE COURT OF
 THE OF IN THE DISTRICT OF FOR THE
 YEAR 18 , 5TH JANUARY 1888 (CORRESPONDING NATIVE DATE.)

Establishment Allowances.

DR.

CR.

	Ra.	a.	p.		Ra.	a.	p.
January 5th, 1888, page 1 of Day Book	159	0	0	January 5th, 1888, page 1 of Day Book	159	0	0

Fines.

Dr.

Seal
of the
Court.

Cr.

	Rs.	a.	p.		Rs.	a.	p.
January 5th, 1888, page 1 of Day Book	5	0	0	January 5th, 1888, page 2 of Day Book	5	0	0

Dr.

Contingent Charges.

Cr.

	Rs.	a.	p.		Rs.	a.	p.
January 5th, 1888, page 1 of Day Book	20	0	0	January 5th, 1888, page 3 of Day Book	12	0	0

REGISTER OF ATTACHED PROPERTY.

No. of Darkhast	No. and Date of Original Suit, Names of Parties.	By whom Exe- cution taken out.	Whose property attached.	Date of attachment.	Value of Moveables as per Japti Yād.	Value of Im- moveables as per Japti Yād.	Total Value.	Property how disposed of.
1	2	3	4	5	6	7	8	9
3,281	No. 999 of 1878. Lakshman valad Bāpu, Plaintiff <i>versus</i> Govind valad Sakhā- rām, Defendant.	3 Plaintiff	4 Defendant <i>or</i> <i>If more than one,</i> <i>mention names.</i>	.....	Ra. a. p. 45 0 0	Ra. a. p. 80 0 0	Ra. a. p. 95 0 0	Moveables sold for Ra. 35 and Immoveables for Ra. 60, total Ra. 95, paid to Plaintiff. See entry in D, page

Dr.

D. 1.

DAY BOOK of MONEY RECEIVED and DISBURSED under applications
5th January, 1888 (corres

	Rs.	a.	p.
To Balance of last day	9	0	0
[Dhanji Kilábhái.]			
Received from Dhanji Kilábhái, through Rávji bin Santáji, Sepoy, being the amount of the Decree No. 260 of 1877, obtained against him by the Plaintiff, Chunilál Puranmal, with costs of Darkhást of Arrest, No. 4 of 1878 (Ledger page 1)	20	0	0
[Govinda bin Pándu.]			
Received from Vishnu Amrit, Kárkún, being the amount found by him in a box belonging to the Defendant, Govinda bin Pándu, of Poona, while attaching his property under Darkhást No. 5 of 1878, in satisfaction of Decree No. 275 of 1877, obtained against him by the Plaintiff, Mitálál Muljibhái (Ledger page 1)	25	0	0
[Govind Rámchandra.]			
Received from Vishnu Ballál, Kárkún, being the proceeds of the sale of property of Govind Rámchandra, inhabitant of Poona, attached and sold in satisfaction of the Decree No. 270 of 1877, obtained against him by the Plaintiff, Rávjee Ballál, under Darkhást No. 250 of that year (Ledger page 2)	35	0	0
[Dharramdás Rámdás.]			
To amount of 27 days' maintenance, at the rate of Two Annas pendiem, to Ráma bin Mahádu, arrested under Darkhást No. 6 of 1877, in satisfaction of the Plaintiff's Decree No. 250 of 1877 (Ledger page 2)	3	6	0
Total.....Rs.	92	6	0



Cr.

in Suit in the Court of the
pending Native date).

of

for the year 18 .

[Dhanji Kilabhái.]	Rs.	a.	p.
By Cash paid to Chunilál Purnamal as per his Receipt No. 1, being the amount recovered from Dhanji Kilabhái, under Darkhást No. 4 of 1878, in satisfaction of Decree No. 260 of 1877 (Ledger page 1)	20	0	0
[Govinda bin Pándu.]			
By Cash paid to Mitálál Muljibhái through his Vakil, Vishnu Rámchandra, as per Receipt No. 2, being the amount recovered from Govinda bin Pándu, under Darkhást No. 5 of 1878, in satisfaction of Decree No. 275 of 1877 (Ledger page 1)	25	0	0
[Govinda Rámchandra.]			
By Cash paid to Rávji Ballás as per Receipt No. 3, being the proceeds of the sale of the property of Govinda Rámchandra attached under Darkhást No. 520 of 1877, in satisfaction of Decree No. 270 of that year (Ledger page 2)	35	0	0
[Dharramdás Rámdás.]			
Cash disbursed for the subsistence of Ráma bin Mahádu, committed to Jail under Darkhást No. 6 of 1878 (Ledger page 2) :—			
One day's subsistence paid in cash to Ráma bin Mahádu	0	2	0
By the balance, or 26 days' subsistence money, sent to the Assistant Judge by Náo Bhi-káji, Sepoy	3	4	0
	3	6	0
Total disbursement	83	6	0
Balance	9	0	0
Total.....Rs.	92	6	0

[Signature of the Názir.]

[Signature of the Judge or Assistant Judge.]

D. 2.

LEDGER OF MONEY RECEIVED AND DISBURSED UNDER APPLICATIONS IN SUITS
JANUARY 1888 (CORRECTION)

Seal
of the
Court.

Dr.

[Dhanji Khilábhai, inhabitant of Poona.]

Cr.

January 5th, 1888,
page 1 of Day
Book

Rs. a. p.
20 0 0

January 5th, 1888,
page 1 of Day
Book

Rs. a. p.
20 0 0

IN THE COURT OF THE
PONDING NATIVE DATE.)

OF

FOR THE YEAR 188 , 5TH

DR.

Govind bin Pandu.

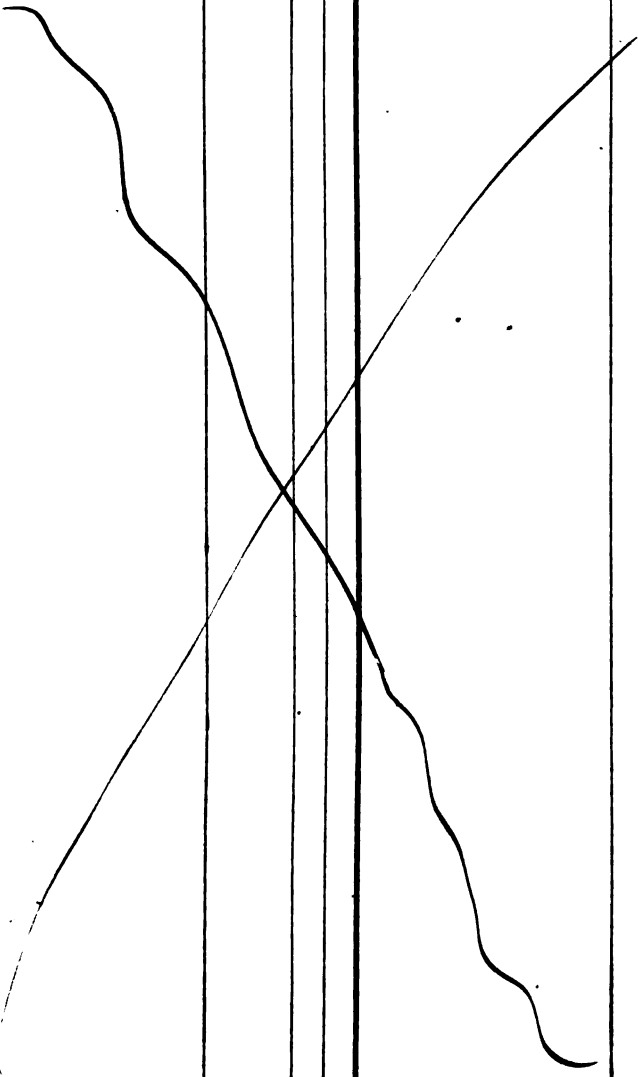
CR.

	Rs.	a.	p.		Rs.	a.	p.
January 5th, 1888, page 1 of Day Book	25	0	0	January 5th, 1888, page 1 of Day Book	25	0	0

DE.

[Govind Rámchandra, inhabitant of Poona.]

CR.

	Rs.	a.	p.		Rs.	a.	p.
January 5th, 1888, page 2 of Day Book	35	0	0	January 5th, 1888, page 1 of Day Book	35	0	0
							

DE. [Dharramdás Rámdás, inhabitant of Poona.]

CR.

	Rs.	a.	p.		Rs.	a.	p.
January 5th, 1888, page 2 of Day Book	3	6	0	January 5th, 1888, page 2 of Day Book	3	6	0

F.

CHEQUE ON TREASURY OFFICERS FOR WITHDRAWAL OF MONEY.

Court,

.....18

Court, No.

.....18

To

The Treasury Officer at

Please pay to

the sum of Rupees*

and debit the same to "Judicial Deposits."

Rupees

Názir

Judge.

* To be entered in words here.

The Treasury Officer at

Amount of Cheque Rs.

In whose favour

Názir,

Judge.

7th December, 18

G.

RECEIPT BOOK.

No.

Cash.

Amount

From

No. of

For.....

Dated

18 .

(Initials)

No.

Received from

Cash.	Number of Suit, Darkhast or other proceeding.	On what account.
Rs.	a.	p.

(Signed)

Dated

18

CHAPTER XIII.

FORMS.

I.

**NOTICE TO PERSON WHO, THE COURT CONSIDERS,
SHOULD BE ADDED AS CO-PLAINTIFF.**

Section 32 of the Code of Civil Procedure.

In the Court of _____ at _____
 Civil Suit No. _____ of 18 ____ .
 A. B. of _____ Plaintiff,
 _____ against _____
 C. D. of _____ Defendant.

To _____

, inhabitant of _____

Whereas the said A. B. has instituted the above suit against the said C. D. for _____, and
 whereas it appears necessary that you should be added as a plaintiff in the said suit, in order to enable this Court effectually and completely to adjudicate upon the said suit:

Take notice that you should, on or before _____ signify to this Court whether you consent to be so added.

Given under my hand and the seal of the Court this _____ day
 of _____ 18 ____ .



Judge.

Section 35 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,
Defendant.

I, _____, inhabitant of _____, (or, we, &c. &c.)
in the suit above specified, hereby appoint
inhabitant of _____, (and _____ inhabitant of
_____, &c. &c.), who is also _____ in the said
suit, to appear, plead, and act for me (or us) therein.

Witness my hand this day of 18 .

(Signed) _____

Witnesses.

III.

GENERAL POWER OF ATTORNEY.

Section 37 of the Code of Civil Procedure.

I, _____, inhabitant of _____, do hereby constitute and appoint _____, inhabitant of _____, my true and lawful attorney, for me and in my name and on my behalf to appear, sue or answer, and to receive all process, in any suit, appeal, or other judicial proceeding whatsoever in any Court, and generally to act in all such proceedings in any way in which I might, if present, be permitted or called on to act.

Witness my hand this day of 18 .

(Signed) _____

Witnesses.

IV.

APPOINTMENT OF PLEADER.

Section 39 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,
Defendant.

Amount of suit, Rupees

I, , inhabitant of , the
in the said suit, hereby appoint to appear and act for
me as my Pleader in the said suit.

Witness my hand this day of 18 .
(Signed) _____

Witnesses.

V.

APPOINTMENT OF AGENT TO RECEIVE SERVICE OF
SUMMONSES AND OTHER PROCESSES IN A PARTI-
CULAR SUIT.

Section 41 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,
Defendant.

Amount of Suit, Rupees

I, , inhabitant of , the in
the said suit, hereby appoint , inhabitant of , my
agent, to receive on my behalf the service of all summonses and other
processes in the said suit.

Witness my hand this day of 18 .
(Signed) _____

Witnesses. .

VI.

GENERAL APPOINTMENT OF AGENT TO RECEIVE
SERVICE OF SUMMONSES AND OTHER PROCESSES.

Section 41 of the Code of Civil Procedure.

I, _____, inhabitant of _____, hereby
 appoint _____, inhabitant of _____, my agent, to receive on
 my behalf the service of all summonses and other processes that
 may issue from any Civil Court in any suit, appeal or other
 civil proceeding whatsoever.

Witness my hand this _____ day of _____ 18

(Signed) _____

Witnesses.

VII.

REGISTER OF REJECTED PLAINTS.

Sections 53 and 54 of the Code of Civil Procedure.

1	2	3	4	5	6	7
Date of present- ation.	By whom presented.	Grounds of rejection, concisely stated.	Date of rejection.	Signature of Judicial Officer.	Date of appeal.	Decision in appeal.

VIII.

ORDER FOR PERSONAL APPEARANCE OF PLAINTIFF,
OR DIRECTOR OR SECRETARY, OR OTHER PRINCIPAL
OFFICER OF A CORPORATION OR COMPANY.

Sections 66 and 436 of the Code of Civil Procedure.

In the Court of

Civil Suit No. _____ of 18 _____

Plaintiff,
 Defendant.

To _____ Plaintiff, inhabitant of
 Secretary or other principal Officer of the
 Corporation).

(or Director, or
 Company or

You are hereby summoned to attend in person in this Court, in
the suit above specified, at A.M. on the day of .

Dated this day of 18 .



Judge.

IX.

**NOTICE TO DEFENDANT OF DAY TO WHICH HEARING
OF SUIT IS POSTPONED.**

Section 100 (c) of the Code of Civil Procedure.

In the Court of at
Civil Suit No. of 18 .

A. B. of Plaintiff,

against

C. D. of Defendant.

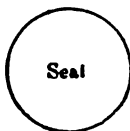
To

C. D., inhabitant of Defendant.

Whereas a summons in the above suit was served upon you on
the of 18 , but not in sufficient time to enable
you to appear and answer :

Take notice that the hearing of the said suit has been postponed
till day the of 18 , at A.M., on which
date you should comply with the directions contained in the sum-
mons already served upon you.

Given under my hand and the seal of the Court this day
of 18 .



Judge.

X.

**FORM OF LIST OF DOCUMENTS PRODUCED BY
PARTIES AT THE FIRST HEARING OF A SUIT.**

Section 140 of the Code of Civil Procedure.

In the Court of

at

Civil Suit No.

of 18

A. B. of

Plaintiff,

against

C. D. of

Defendant.

No.	Description of document.	Date, if any, which the document bears.	Signature of party or Pleader.
1	2	3	4

XI.

FORM OF RECEIPT BOOK FOR RETURNED EXHIBITS.

Section 144 of the Code of Civil Procedure.

Receipt Book of Exhibits returned in the Court of the of

Description of exhibit.	By whom presented.	No. of Suit in which presented.	Date on which time for appeal elapsed or appeal was disposed of.	Cost of copy paid.	Signature of person to whom the exhibit is returned,	Date of return.	Signature of Officer by whom returned.
1	2	3	4	5	6	7	8
Merely the description, and not the substance of the exhibit should be entered.							[This should be signed by the Karkun in charge of this Register.]

XII.

AGREEMENT BY PARTIES AS TO ISSUES TO BE TRIED.

Section 150 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,
Defendant.

Whereas we, the parties aforesaid in the suit above specified, are agreed as to the question (*or questions*) of fact (*or of law*), to be decided between us, and the point at issue between us is whether a claim founded on a bond, dated the of , and filed as Exhibit No. in the said suit, is or is not beyond the statute of limitation (*or state the point at issue, whatever it may be*) :

We, therefore, severally bind ourselves that, upon the finding of the Court in the negative (*or affirmative*) of such issue, I, the said , will pay to the said the sum of Rupees (*or such sum as the Court shall hold to be due thereon from a grandson of the person who executed it*), and I the said , will accept the said sum of Rupees (*or such sum as the Court shall, as aforesaid, hold to be due thereon from the said*), in full satisfaction of my claim, on the bond aforesaid (*or, that upon such finding, will perform or abstain from, &c. &c. &c.*)

Dated this day of 18 .

(Signed)

Plaintiff.
Defendant.

Witnesses.

XIII.

ORDER FOR RE-ATTENDANCE OF A WITNESS.

In the Court of

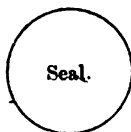
Civil Suit No. of 18 .

To the witness A. B., resident of

Whereas you have been summoned (or brought) to give evidence to-day in the above suit, but on account of the hearing has been adjourned till day the day of next :

You are hereby required to appear in this Court on the said date at A.M., to give evidence in the said suit.

Dated this day of 18 .



Judge.

XIV.

FORM OF PROCLAMATION WHEN A WITNESS
ABSCONDS OR KEEPS OUT OF THE WAY.

Section 168 of the Code of Civil Procedure.

Proclamation.

In the Court of

Civil Suit No. of 18 .

Plaintiff,
Defendant.

Whereas, at the instance of the Plaintiff (or Defendant) above mentioned, a summons was issued requiring , inhabitant of , to appear in the said Court, to give evidence (or to produce a specified document) in the above suit ;

And whereas it has been proved to the said Court that the evidence of the said witness (or the production of the said document) is material, and that the said absconds or keeps out of the way for the purpose of avoiding the service of the said summons :

This is to give notice that the said is hereby required to appear in this Court at A.M., on the day of 18 , to give evidence in the said suit (*or to produce a particular document or documents, to be specified*), under pain of attachment of the moveable and immoveable property of the said in case of his default, and of such further proceedings as may be found necessary.

Dated this day of 18 .



Judge.

XV.

WARRANT FOR APPREHENDING A WITNESS.

Section 174 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,

Defendant.

To the NA'ZIR of the COURT of

Whereas , required by the said as a witness in the above cause, though duly summoned, has failed to appear, (*or having attended this Court has departed in contravention of the provisions of Section 173 of the Code of Civil Procedure*), you are hereby commanded to apprehend and bring him forthwith before the Court.

Dated this day of 18 .



Judge.

XVI.

NOTICE TO PARTIES OF THE DAY FIXED FOR EXAMINATION OF A WITNESS ABOUT TO LEAVE THE JURISDICTION.

Section 192 of the Code of Civil Procedure.

In the Court of

Civil Suit No.

of 18 .

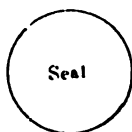
Plaintiff,
Defendant.

To , Plaintiff (or Defendant), inhabitant of

Whereas, in the suit above specified, application has been made to the Court by that the examination of a witness required by the said in the said suit, may be taken immediately; and it has been shown to the Court's satisfaction that the said witness is about to leave the Court's jurisdiction (*or any other good and sufficient cause, to be stated*):

Take notice that the examination of the said witness, , will be taken by the Court on the day of 18 .

Dated this day of 18 .



Judge.

XVII.

**REGISTER OF APPLICATIONS FOR EXECUTION
OF
FOR
Section 230 of the Code**

No. of the Register of the Court.	If the Decree be of another Court, its name and No. (if any) of the Application.	Names of the Parties, and Number of the Suit.	Name of the Party or other Person presenting the Application.	Name of the Person or Persons against whom execution is sought.	NATURE OF EXECUTION SOUGHT FOR.		
					For Property decreed.	For Attachment and Sale of Property.	For Arrest.
1	2	3	4	5	6	7	8
Of 1878. 5		No. 763 of 1878. A.B. vs. C.D.	Plaintiff.	Defendant.	1	.....	.....

Note 1.—Only one entry is to be made
2.—Rejected applications are to

**OF DECREES IN THE COURT OF THE
THE YEAR 18 .
of Civil Procedure.**

Seal
of the
Court.

The follo
and 189 of

Orders of the Court passed on the Application.	HOW EXECUTED.				Abstract of Názir's Returns, and their Dates.	Date of
	By making over Property to Applicant.	By payment of money into Court.	By arrest.	By attach- ment and Sale of Property.		
9	10	11	12	13	14	1
Ordered that Plaintiff be put in possession of the house decreed to him, and that costs (Rs. 25) be recovered by attach- ment and sale of the moveable property of the Defendant.	1	.....	.....	.....	The Court's Warrant was executed on 10th January 1879.	

on each page of this Register.
be entered in this Register.

Vide C

26th M

XVIII.

NOTICE TO TRANSFEROR OF A DECREE OR TO JUDGMENT-DEBTOR TO SHOW CAUSE WHY A DECREE WHICH HAS BEEN TRANSFERRED TO A PERSON OTHER THAN THE JUDGMENT-CREDITOR SHOULD NOT BE EXECUTED.

Section 232 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18

A. B.

Plaintiff

versus

C. D.

Defendant.

Amount of Decree Rs.

Costs

Total ... Rs.

To

inhabitant of

Whereas E. F., inhabitant of , has applied to this Court, alleging that the interest of the aforesaid in the Decree obtained by him in the above suit on the day of 18 in the Court of has been transferred to him, the said E. F., by and seeking for execution of the said Decree in his own behalf :

You are hereby required to take notice that if you have any cause to show why the said application should not be granted, you should appear with your proofs in this Court on day the day of 18 , at A. M., on which date the said application will be heard and determined.

Dated

Seal

Judge.

APPLICATION FOR EXECUTION OF A DECREE.

Sections 235, 236 and 237 of the Code of Civil Procedure.

In the Court of

I, Plaintiff, A. B., hereby apply for execution of the Decree herein below set forth :—

at

No. of Suit.	Names of Parties.	Date of Decree.	Whether any appeal preferred from decree.	Adjustment made, if any.	Previous application for execution, if any, and result.	Amount of debt, compensation, interest or other relief granted by decree.	Amount of costs, if any, awarded.	Against whom to be enforced.	Mode in which the Court's assistance is required.
1	C. D., Defendant.	3	4	5	6	7	8	9	10
1300 of 1870.	A. B., Plaintiff, C. D., Defendant.	11th October 1870.	No.	None.	Under Darkhast No. of 115, 61-6-0 recovered.	Rs. 118-4-4 principal. [Interest at 6 per cent. from date of decree till payment.]	Rs. 14-10-4 costs as awarded in the decree. Rs. 4-11-0 costs subsequently incurred. Rs. 19-5-4 Total.	Against the Defendant C. D.	(When attachment and sale of moveable property is sought) I pray that the total amount of Rs. as [together with interest on the principal sum up to date of payment] and the costs of taking out this execution, be realized by attachment and sale of Defendant's moveable property as per annexed list [or which I will point out to the Court's Bailiff, as the case may be] and paid to me; [or if the application be under Section 236, then after "list" add the words "which is in the possession of X. Y. of"] I pray that the amount of Rs. as [together with interest on the principal sum up to date of payment] and the costs of taking out this execution, be realized by the attachment and sale of Defendant's immovable property specified at the foot of this 'darkhast', and paid to me.

I, A. B., declare that what is stated herein is true to the best of my information and belief.

Dated

(When attachment and sale of immovable property is sought.)

(Signed) A. B.

Dated

Description and specification of immovable property above referred to :—

The undivided one-third share of the Defendant in a house situated in the village E. F., value Rs. 40, and bounded as follows :— East by G.'s house, West by H.'s house, South by public road, North by private lane and J.'s house.

I, A. B., declare that what is stated in the above description is true to the best of my knowledge and belief, and so far as I have been able to ascertain the interest of the Defendant in the property therein specified.

Dated

(Signed) A. B.

XX.

Has been cancelled.

XXI.

SECURITY FOR STAYING EXECUTION OF A DECREE OUT
OF THE JURISDICTION OF THE COURT BY WHICH
IT WAS PASSED.

Section 240 of the Code of Civil Procedure.

In the Court of

Plaintiff,
Defendant.

Whereas, in the Court of the _____ of _____,
a decree was passed against the said _____, adjudging to the
said _____ the sum of Rupees _____, in a suit bearing the number
of _____ on the file of the said Court of _____, and whereas copy
of the said decree has been transmitted by the said Court of _____
to this Court, for execution within the limits of this Court, and, on
application made by the said _____, the _____ of this Court
aforesaid has ordered that execution of the said decree shall be
stayed until the _____, or until an order of the Court of _____ may
be obtained, if the said _____ find good and sufficient security
in the sum of Rupees _____ for the due performance of the decree,
or of any other order that may be passed against him in the said suit
(*or by the Appellate Court*):

Therefore I, _____, inhabitant of _____, have voluntarily
become security, and do hereby bind myself, my heirs, and executors
to the said Court, that the said _____
shall obey and fulfil the order passed against him in the said suit,
and all such orders as may be given against the said _____
in the said suit (*or by the Appellate Court*), and in default of his so
doing, I bind myself, my heirs, and executors, to pay, at the order
of the said Court, all such sums as the said Court shall, to the extent
of Rupees _____ aforesaid, adjudge against me.

Witness my hand at _____ this _____ day of _____ 18 ____.
(Signed)

Security.

Witnesses.

XXII.

NOTICE TO SURETY OF HIS LIABILITY UNDER A
DECREE.

Section 253 of the Code of Civil Procedure.

In the Court of at

Civil Suit No. of 18

A. B. of

Plaintiff,

against

C. D. of

Defendant.

To

inhabitant of

Whereas you did on become liable as surety for the performance of any Decree which might be passed against the said C. D., Defendant in the said Suit; and whereas a decree was passed on the of 18 against the said Defendant for the payment of Rupees (*or otherwise in accordance with the decree*), and whereas application has been made for execution of the said decree against you :

Take notice that you are hereby required on or before day the day of at A. M., to show cause why the said decree should not be executed against you, and if no sufficient cause shall be, within the time specified, shown to the satisfaction of the Court, an order for its execution will be forthwith issued in the terms of the said application.

Given under my hand and the seal of the Court this day of 18 .


 Seal.

Judge.

Whereas the said A.B., Plaintiff, obtained a decree against the said C. D., Defendant, in the above suit on the of 18 for payment of Rupees , and whereas application has been made to this Court to attach, in execution of the said decree, a decree obtained in your Court by the said Defendant against in Civil Suit No. of , you are hereby requested to stay the execution of your said decree until this notice shall be cancelled by this Court.

Given under my hand and the seal of the Court this day of 18 .

Seal.

Judge.

XXVI.

PROHIBITORY NOTICE TO HOLDER OF A DECREE SOUGHT TO BE ATTACHED.

Section 273 of the Code of Civil Procedure.

In the Court of at Civil Suit No. of 18 .

A. B. of Plaintiff,

against

C. D. of Defendant.

To C. D., inhabitant of Defendant.

Whereas in execution of the decree passed against you in the above suit, application has been made to attach the decree passed against in Civil Suit No. of in the Court of at of which you are the holder ; you are hereby prohibited from transferring or charging the said decree in any way.

Given under my hand and the seal of the Court this day of 18 .

Seal.

Judge.

XXVII

FORM OF SUMMONS TO JUDGMENT-DEBTOR OR JUDGMENT-CREDITOR FOR EXAMINATION AS TO INTEREST IN, OR CLAIMS TO, PROPERTY ATTACHED IN EXECUTION OF A DECREE.

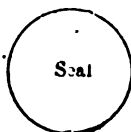
Clauses 1, 4 and 11 of Rule No. ii made by High Court under Section 287 of the Code of Civil Procedure (Circular No. 90).

In the Court of the Judge of
at
Civil Suit No. of 18
A. B. of Plaintiff,
against
C. D. of Defendant.

To A. B. or C. D., inhabitant of

Whereas in execution of the decree passed in the above suit property was attached by order of this Court on the day of 18 ,
* *Note.*—Enter the town or village and the name of the person at whose house or in whose possession moveable property was when attached, and in the case of immoveable property, where situated and in whose occupation. at* and whereas it is necessary to examine you regarding the said property :
You are hereby summoned to attend in person at this Court on day the day of 18 at A. M., and to produce all title-deeds and other documents in your possession or power, affecting the attached property.

Given under my hand and the seal of the Court, this day of 18 .



Judge.

XXVIII.

FORM OF NOTICE, TO BE POSTED UP IN THE COURT OF DAY FIXED FOR EXAMINATION OF JUDGMENT-DEBTOR AS TO HIS INTEREST, &c., IN PROPERTY ATTACHED IN EXECUTION OF A DECREE.

Clause 3 of Rule No. 2 made by High Court under Section 287 of the Code of Civil Procedure. (Circular No. 90.)

In the Court of the _____ Judge of
at _____
Civil Suit No. _____ of 18. .
A. B. of _____ Plaintiff,
against
C. D. of _____ Defendant.

Whereas in execution of the decree passed in the above suit, property of the aforesaid C. D., or supposed to be the property of the said C. D., has been attached with a view to the satisfaction of the decree; and whereas the said C. D. has been summoned to appear in this Court on _____ day the _____ day of
18 at A.M.:

Notice is hereby given that the said examination of C.D. with reference to the said property and all rights he may have therein, will take place at the time and place above mentioned, and that the said A. B., if present in person or by Pleader, may question the said C.D. on any matter relevant to the aforesaid enquiry.

Given under my hand and the seal of the Court, this _____ day of
18



Judge.

XXIX.

FORM OF LIST OF MOVEABLE PROPERTY ATTACHED IN EXECUTION OF A DECREE, TO BE PUBLISHED BY POSTING UP A NOTICE IN THE COURT-HOUSE AND IN THE CHAVDI OR OTHER PLACE NEAR THE PROPERTY ATTACHED

Clause 5 of the Rule No. ii made by High Court under Section 287 of the Code of Civil Procedure. (Circular No. 90.)

In the Court of the Judge of
 at
 Civil Suit No. of 18
 A. B. of Plaintiff,
 against
 C. D. of Defendant.

The undermentioned moveable property having been attached in execution of the decree passed in the suit aforesaid, viz :

[Here enter description and specification of property] ;

* Notice is hereby given to all persons having rights in, or

*Note.—This notice applies charges or claims on, the above-named property, or any part thereof, that they equally to moveable property actually seized and to immoveable property attached by a prohibitory order (Form 141 and the like), according to paragraph 7 of the Rules. day of 18 lodge in this Court a statement, verified on oath or solemn affirmation, with respect to the same.

Given under my hand and the seal of the Court, this day of 18 .



Judge.

XXX.

NOTICE TO BE AFFIXED TO THE NOTICE-BOARD OF
 THE LODGING OF A STATEMENT OF RIGHTS IN, OR
 CHARGES OR CLAIMS ON, PROPERTY ATTACHED IN
 EXECUTION OF A DECREE.

Clause 6 (b) of Rule No. ii made by High Court under Section 287
 of the Code of Civil Procedure (Circular No. 90).

In the Court of the Judge
 of at
 Civil Suit No. of 18
 A.B. of Plaintiff,
 against
 C. D. of Defendant.

Notice is hereby given, that the following claims have been lodged in this Court with respect to property attached in execution of the decree passed in the above suit under the notice published on the
 day of 18 .

Name of claimant.	Description of property to which claim is set up and nature of claim.
1	2

The above and any other claims affecting the property aforesaid will be investigated by this Court on day the day of
 18 at 11 A.M., when all parties interested should be present with their evidence.

Given under my hand and the seal of the Court, this day
 of 18 .



Judge.

XXXI

AUCTION RECEIPT.

Section 297 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18

Plaintiff,
 Defendant.

Received from the sum of Rupees , being
 the amount due from him on account of a pur-

Officer holding the sale.

**CERTIFICATE TO JUDGMENT-DEBTOR AUTHORIZING
HIM TO MORTGAGE, LEASE, OR SELL PROPERTY.**

In Court of _____ at _____
Civil Suit No. _____ of 18 ____ .
A. B. of _____ Plaintiff,
_____ against _____
C. D. of _____ Defendant.

This is to certify that the Court doth hereby authorize the said judgment-debtor to make the proposed mortgage, lease or sale within a period of _____ from the date of this certificate ; provided that all moneys payable under such mortgage, lease, or sale, shall be paid into this Court and not to the said judgment-debtor.

Given under my hand and the seal of the Court this day of
18 .

Judge.

XXXIII.**NOTICE TO JUDGMENT-DEBTOR AND DECREE-HOLDER
TO SHOW CAUSE WHY SALE SHOULD NOT BE SET
ASIDE.**

Section 313 of the Code of Civil Procedure.

In the Court of _____ at _____
 Civil Suit No. _____ of 18 ____ .
 A. B. of _____ Plaintiff,
 against _____

C. D. of _____ Defendant.
 To A. B., inhabitant of _____, and C. D., inhabitant of _____

Whereas E. F., the purchaser of the undermentioned property,
 sold on the _____ of _____ 18 ____ in execution of the
 decree passed against the said C. D. in the above suit, has applied
 to this Court to set aside the sale of the said property on the ground
 that C. D. [or _____] had no saleable interest therein :

Take notice that if you have any cause to show why the said
 application should not be granted, you should appear with your proofs
 in this Court on _____ day the _____ of _____ 18 ____
 at _____ A. M., when the said application will be heard and determined.

Given under my hand and the seal of the Court this _____ day
 of _____ 18 ____ .



 Judge.

XXXIV.**FORM OF ORDER FOR SETTING ASIDE A SALE OF
IMMOVEABLE PROPERTY ON THE GROUND THAT
JUDGMENT-DEBTOR HAD NO SALEABLE INTEREST
THEREIN.**

Section 313 of the Code of Civil Procedure.

In the Court of _____ at _____
 Civil Suit No. _____ of 18 ____ .
 A. B. of _____ Plaintiff,
 against _____
 C. D. of _____ Defendant.

Whereas the undermentioned property was on the _____ of 18 _____ sold by the Bailiff of this Court in execution of the decree in this suit, and was purchased by E. F., and whereas upon hearing an application made by the said E. F., and upon hearing the said A. B. and C. D., (*or*, upon hearing the said A. B., and the said C. D. not appearing, notwithstanding that notice of the said application was duly given to him), this Court finds that the said C. D. had no saleable interest in the said property :

It is ordered that the said sale be and is hereby set aside.

And it is further ordered that the said E. F. do recover from the said A.B. the sum of Rs. _____ [with interest thereon at the rate of _____ per cent. per annum from the _____ day of 18 _____ until date of payment.]

[*Description of property as in proclamation of sale.*]

Given under my hand and the seal of the Court this _____ day of 18 _____



Judge.

XXXV.

SUMMONS TO APPEAR AND ANSWER CHARGE OF OBSTRUCTING EXECUTION OF DECREE.

Section 328 of the Code of Civil Procedure.

In the Court of

Civil Suit No. _____ of 18 _____

Plaintiff,
Defendant.

To _____, inhabitant of

Whereas _____, the said Plaintiff (*or* Defendant), has complained to this Court that you have resisted (*or* obstructed) the officer charged with the execution of the decree passed in the suit above specified :

You are hereby summoned to appear at A.M., on
the day of 18 , in this Court, to an-
swer the said complaint.

Dated this day of 18 .



Judge.

XXXVI.

SECURITY FOR THE APPEARANCE, WHEN CALLED UPON, OF A JUDGMENT-DEBTOR, AND THAT HE WILL APPLY TO BE DECLARED AN INSOLVENT.

Section 336 of the Code of Civil Procedure.

In the Court of at
Civil Suit No. of 18 .

A. B. of Plaintiff,

against

C. D. of Defendant.

Whereas in execution of the decree in the suit aforesaid, the said C. D. has been arrested under a warrant and brought before the Court of ; and whereas the said C. D. has applied for his discharge on the ground that he undertakes, within one month, to apply, under Section 344 of the Code of Civil Procedure, to be declared an insolvent, and the said Court has ordered that the said C. D. shall be released from custody if the said C. D. furnish good and sufficient security in the sum of Rs. that he will appear when called upon, and that he will, within one month from this date, apply under Section 344 of the Code of Civil Procedure to be declared an insolvent :

Therefore I, E. F., inhabitant of , have voluntarily become security and do hereby bind myself, my heirs and executors, to the said Court, that the said C. D. will appear at any time when called upon by the said Court, and will apply in the

manner and within the time hereinbefore set forth, and, in default of such appearance or of such application, I bind myself, my heirs, and executors to pay to the said Court, at its order, the sum of Rupees

Witness my hand at this day of 18 .

(Signed) E. F.,
Security.

Witnesses.

XXXVII.

WARRANT FOR IMPRISONMENT IN EXECUTION OF A DECREE.

Sections 339 and 349 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,
Defendant.

To the NÁZIR in charge of the Civil Jail at

Whereas, in the suit above specified, judgment was on the day of , given in favour of the said for the recovery of from the said and the said on failure to satisfy the said decree, was on the day of 18 , arrested in execution thereof:

You are hereby required to receive the said into your custody, and safely to keep him in the Civil Jail at till the day of 18 , provided that on or before the 1st day of and of each succeeding month, there be paid to you by or on behalf of the said (*Judgment-creditor*) the sum hereinafter stated as subsistence-money for the said (*Judgment-debtor*) during such month and unless the said (*Judgment-debtor*) be otherwise discharged according to law; of which release or discharge you are required forthwith to inform this Court.

The sum fixed for the subsistence of the above Judgment-debtor is Rupees a month. A sum of Rupees

is forwarded with this Warrant, being the amount of the said allowance up to the last day of (*current month*), and on failure of the Judgment-creditor to pay, on or before the last day of the month of _____ and of each succeeding month, the allowance due for the month following, it is ordered that you discharge the said _____ from custody on the 1st day of such month following.

Dated this

day of

18 .



Judge.

XXXVIII

APPLICATION TO BE DECLARED AN INSOLVENT.

Sections 344 and 345 of the Code of Civil Procedure.

I, C. D., of
of

respectfully petition the Court
as follows:—

That I have been arrested by order of the Court of
at _____ in execution of a decree obtained against me by
_____ in the Civil Suit No. _____ of _____ of the File of
the Court of _____ of _____ and am now
in custody [or imprisonment in the Civil Jail] at _____

That I am possessed of the following property only, viz :

A House [*give description and boundaries*] in the village of
Táluka _____ District _____ of the
value of Rs. _____

A Field, Survey No. _____, situated in Mauja
Táluka _____ paying assessment of Rs. _____
value Rs. _____

Three Bullocks, value Rs. _____ now at my said house.

Cash to the amount of Rs. _____ in my personal possession.

That I am willing to put the said property at the disposal of the Court.

That the following debts, and no others, are due by me to the undermentioned persons, viz :—

To E. F., resident of* **Rs. 50.**

To G. H., resident of* **Rs. 25.**

I hereby apply that I may be declared an insolvent under the provisions of Chapter XX of the Code of Civil Procedure.

Dated this day of 18 .

(Signed) C. D.

I, C. D., hereby declare that what is stated herein is true to the best of my information and belief.

(Signed) C. D.

XXXIX.

**NOTICE OF HEARING OF APPLICATION TO BE
DECLARED AN INSOLVENT.**

Sections 347 and 348 of the Code of Civil Procedure.

In the Court of **at**
Civil Suit No. **of 18** .

A. B. of **Plaintiff,**

against

C. D. of **Defendant.**

To

Inhabitant of

You are hereby required to take notice that the application of C. D., of which copy is annexed, will be heard in this Court at

A. M., on day the of 18 .

Given under my hand and the seal of the Court this day
of 18 .

Seal.

Judge.

* Here give the address as fully as possible.

XL.**DECLARATION OF INSOLVENCY.**

Section 351 of the Code of Civil Procedure.

In the Court of _____ at _____

Whereas C. D. was arrested on the _____ of
 18 _____, in execution of the decree obtained against him by
 A. B. in Civil Suit No. _____ of 18 _____, and whereas the
 said C. D. did on the _____ of _____ 18 _____, apply
 to this Court, (or to the District Court of _____ *as the
 case may be*), to be declared an insolvent under the provisions of
 Chapter XX of the Code of Civil Procedure, and whereas a copy of
 the said application was served upon the said A. B. and also upon
 the creditors of the said Applicant, whose
 E. F., inhabitant of _____
 G. H., inhabitant of _____
 &c. &c. names are noted in the margin: this Court on
 examining the said Applicant and on hearing
 the objections made to this said application by
 does hereby declare the said C. D. to be an insolvent and directs
 his discharge [*or appoints X. Y. to be receiver of the property of the
 said C. D., as the case may be*].

Given under my hand and the seal of the Court this _____ day
 of _____ 18 _____.



Judge.

XLI.**APPOINTMENT OF RECEIVER FOR INSOLVENT'S ESTATE.**

Section 351 of the Code of Civil Procedure.

In the matter of the Insolvency of C. D.

In the Court of _____ at _____

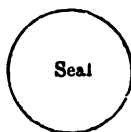
To X. Y., inhabitant of _____

Whereas the said C. D. has been declared by this Court to be an
 Insolvent, you, X. Y., having furnished security to the amount of
 Rs. _____ have been appointed Receiver of the property of the said C.D.

2. You are to act in accordance with the provisions of Sections 355 and 356 of the Civil Procedure Code, and to keep and, when called upon, to render a due and proper account of all receipts and disbursements in respect of the property of the said insolvent.

3. You may retain as a remuneration for the performance of your duties a commission at the rate of _____ per cent. upon the amount of the balance which you distribute among the scheduled creditors of the said insolvent.

Given under my hand and the seal of the Court this
day of 18 .



Judge.

XLII.

SECURITY BOND FOR THE FAITHFUL DISCHARGE OF HIS DUTIES BY A RECEIVER.

Section 355 of the Code of Civil Procedure.

In the Court of _____ at _____

In the matter of the insolvency of C. D.

Whereas C. D. has been declared by the abovementioned Court to be an insolvent, and whereas X. Y. has been appointed by order of the said Court to be receiver of the property of the said C. D. ;

Therefore we, E. F. of _____ and
G. H. of _____ have voluntarily become securities,
and do hereby bind ourselves, our heirs and executors to the said
Court, that the said X. Y. shall duly account for all and every the
sum and sums of money which he shall receive on account of the said
property, at such periods as the Court shall appoint, and shall duly
pay the balances which shall, from time to time, be due from him, as
the said Court shall direct ; and, in default of his so doing, we bind
ourselves, our heirs and executors to pay to the said Court, at its

(Signed) E. F.,
G. H.,
Securities.

XLIII.

DISCHARGE OF AN INSOLVENT FROM LIABILITY FOR SCHEDULED DEBTS.

In the Court of _____ at _____
In the matter of the insolvency of C. D. _____

Whereas this Court did, on the day of 18
declare the said C. D. to be an insolvent, and did, on the day :
of 18 , discharge him from arrest (or imprisonment, *as*
the case may be), and whereas the following are the only scheduled
debts of the said insolvent, viz. :—

To E. F. of	Rs. 50.
To G. H. of	Rs. 75.
To I. J. of	Rs. 50.

and whereas the aggregate amount of the said debts is less than Rs. 200:

This Court doth hereby, under the provisions of Section 358 of the Civil Procedure Code, declare the said C. D. absolved from further liability in respect of all the said debts.

Given under my hand and the seal of the Court this day of
18 .



Judge.

XLIV.

WARRANT OF IMPRISONMENT OF FRAUDULENT
INSOLVENT.

Section 359 of the Code of Civil Procedure.

In the Court of _____ at _____

In the matter of the Insolvency of C. D.

To the JAILOR of _____

Whereas at a hearing under Section 350 of the Code of Civil Procedure it has been proved that C. D., in his application to be declared an insolvent, has been guilty of making a false statement as to the debts due by him [*or otherwise as the case may be*], and has been sentenced to [rigorous or simple] imprisonment for _____

You are hereby required to receive the said C. D. into your custody in the said Jail of _____ together with this warrant, and there carry the aforesaid sentence into execution according to law.

Dated this _____ day of _____ 18 _____

_____
Judge.

XLV.

SUMMONS TO LEGAL REPRESENTATIVE OF A
DECEASED DEFENDANT.

Section 368 of the Code of Civil Procedure.

In the Court of _____
Civil Suit No. _____ of 18 _____Plaintiff,
Defendant.

To _____, inhabitant of _____

Whereas the said Plaintiff, _____, instituted a suit in this Court on the _____ day of _____ 18 _____ against the said _____, who has since deceased, and the said _____ has made an application to the _____ alleging you to be the legal representative of the said deceased _____, and desiring that you be made Defendant in his stead:

You are hereby summoned to attend (in person or by pleader, or in either way) in this Court at _____ A.M. on the _____ day of _____ next, to defend the said suit, and, in default of your appearance on the day specified, the said suit will be heard and determined in your absence.

Dated this _____ day of _____ 18 .



Judge.

XLVI.

SECURITY FOR COSTS IN A SUIT CONTINUED BY THE ASSIGNEE.

Section 370 of the Code of Civil Procedure.

In the Court of

Civil Suit No. _____ of 18 .

Plaintiff,
Defendant.

Whereas the said Plaintiff, _____, in the suit above specified, has become bankrupt (or insolvent), and the suit is one which the assignee may maintain for the benefit of the creditors :

And whereas, for the continuance of the said suit, the said assignee has been required to find good and sufficient security for the costs thereof :

Therefore, I, _____, inhabitant of _____, have voluntarily become security, and do hereby bind myself, my heirs, and executors, to the said Court, that the said assignee shall, whenever called on by the said Court, pay all costs of the said suit, and, in default of such payment, I bind myself, my heirs, and executors to pay all such costs to the said Court at its order.

Witness my hand at _____ this _____ day of _____ 18 .
(Signed)

Security.

Witnesses.

XLVII.**APPLICATION FOR PERMISSION TO WITHDRAW
FROM A SUIT.**

Section 373 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18

Plaintiff,
Defendant.

I, , the Plaintiff in the suit above specified, hereby request the permission of the said Court to withdraw from the said suit, with liberty to bring a fresh suit in the same matter, on the ground that (*here state sufficient grounds for withdrawing*).

Dated this day of 18 .
(Signed)

Plaintiff.

XLVIII.**SECURITY FOR DEFENDANT'S COSTS IN A SUIT INSTITUTED BY A PARTY RESIDING OUT OF THE BRITISH TERRITORIES AND POSSESSING NO IMMOVEABLE PROPERTY WITHIN THEM.**

Section 380 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18

Plaintiff,
Defendant.

Whereas a suit has been instituted in the said Court by the said Plaintiff, , to recover from the said Defendant, , the sum of Rupees , and the said Plaintiff, , is residing out of British India, and does not possess any sufficient immoveable property within British India independent of the property in suit:

Therefore I, , inhabitant of , have voluntarily become security, and do hereby bind myself, my heirs, and executors, to the said Court, that the said Plaintiff, , his heirs, and executors,

shall, whenever called on by the said Court, pay all costs that may have been or may be incurred by the said Defendant, in the said suit; and in default of such payment I bind myself, my heirs, and executors, to pay all such costs to the said Court at its order.

Witness my hand at this day of 18 .
 (Signed)

Security.

Witness.

XLIX.

COMMISSION TO MAKE PARTITION.

Section 396 of the Code of Civil Procedure.

In the Court of **at**

Civil Suit No. of 18 .

A. B. of **Plaintiff.**

against

C. D. of Defendant.

To	inhabitant of
and to	inhabitant of
and to	inhabitant of

Whereas in this suit it appears to the Court to be necessary that a commission should be issued to make a partition of the undermentioned immoveable property amongst the parties entitled to share in the same, viz.—

An Inam village named

[Description and boundaries.]

And whereas this Court has ascertained that the undermentioned parties are interested in the said village to the extent specified against their respective names, viz.—

A. B. a share of $\frac{1}{2}$,
C. D. a share of $\frac{1}{4}$,
E. F. a share of $\frac{1}{8}$,
G. H, a share of $\frac{1}{16}$;

You are hereby appointed Commissioners for making a partition of the said property according to the said rights.

You should ascertain and inspect the property, and, as far as practicable, divide the same into shares as above set forth and allot such shares to the abovementioned parties, and you are authorized to award to any party to whom it may be necessary to allot less than his full share, such sum of money to be paid by the other parties or any of them as will make up the deficiency in the value of such party's share.

When the partition has been made, you should prepare and sign a report [*or if you cannot agree, separate reports*] appointing the share of each party and distinguishing each share by metes and bounds, and transmit the same to this Court together with this commission.

The sum of Rs. , being your fee at the rate of Rs. each in the above, is herewith forwarded.

Given under my hand and the seal of the Court this day of
18 .



Judge.

L.

NOTICE TO GOVERNMENT PLEADER OR DEFENDANT OF APPLICATION BY A PAUPER TO BE PERMITTED TO FILE A SUIT.

Section 408 of the Code of Civil Procedure.

In the Court of

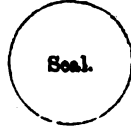
To , inhabitant of

Whereas , inhabitant of , has applied to this Court for permission to file a suit against [you] in *forma pauperis* for recovery of property valued at Rupees , as his share in ancestral property appropriated by [you] (*or otherwise, as the case may be*), and the Court, on examination, has seen no reason to refuse the application :

Take notice that the Court has fixed the day of next for receiving such evidence as the said

may produce in proof of his pauperism, and for hearing any evidence which you may then bring forward in disproof thereof.

Dated this day of 18 .



Judge.

LI.

NOTICE TO PLAINTIFF OF MOTION MADE BY THE
GVERNMENT PLEADER OR BY A DEFENDANT THAT
HE BE DISPAUPERED.

Section 414 of the Code of Civil Procedure.

In the Court of at
Civil Suit No. of 18 .

A. B. of Plaintiff,
against

C. D. of Defendant.

To A. B, inhabitant of , Plaintiff.

Whereas you have been admitted to sue as a pauper in the above suit, and whereas the Government Pleader, [or the Defendant C. D., *as the case may be*], has moved this Court that you may be dispaupered on the ground that (see ground stated in Section 414);

This is to give you notice that the said motion will be heard and determined in this Court on day the day of
18 at A.M.

Given under my hand and the seal of the Court this day
of 18 .



Judge.

LI A.

NOTICE TO PERSON SUGGESTED AS GUARDIAN *AD LITEM* OF A MINOR DEFENDANT (SEE CIRCULAR No. 39).

In the matter of

Suit No. of 18 .

In the Court of

Plaintiff,

versus

Defendant.

To inhabitant of

Whereas an application has been made to this Court by the abovementioned , stating that you are the guardian of the minor defendant [or heir of the deceased the in the above] and praying that your name should be entered [or substituted on the record of the above suit in place of the deceased] as guardian of the said minor.

This is to give you notice that the above application is fixed for hearing on day the day of 188 , and to enable the Court to dispose of it on that date or on any subsequent date to which the hearing may be postponed, you are hereby requested to inform the Bailiff, who serves this notice on you, whether you are willing or not to act as guardian for the suit for the said minor , and in the event of your being willing so to act, to certify the fact by signing the certificate at the foot of this notice.

Judge.

CERTIFICATE.

I hereby certify that I am willing to act as guardian for the suit in the above for the minor , heir of the said .

AFFIDAVIT OF BAILIFF.

I hereby depose on solemn affirmation that the said
signed the above certificate in my presence at
on the

I was (or was not as the case may be) previously acquainted with the
said

AFFIDAVIT (IF ANY) OF PERSON WHO POINTED
OUT GUARDIAN TO BAILIFF.

I hereby depose on solemn affirmation that I know the said
and pointed out to the Bailiff
and that the said

signed the above certificate in the presence of the said Bailiff and in
my presence at

on

LII.

APPOINTMENT OF GUARDIAN *AD LITEM* FOR MINOR
DEFENDANT.

Section 443 of the Code of Civil Procedure.

In the Court of

at

Civil Suit No.

of 18

A. B. of

Plaintiff,

against

C. D. of

Defendant.

To

inhabitant of

Whereas C. D., the Defendant in this suit, is a minor, you are
hereby appointed his guardian for the suit, and are empowered to
put in his defence, and generally to act on his behalf in the conduct
of the case.

Given under my hand and the seal of the Court this day of
18



Judge.

LIII.**APPOINTMENT OF GUARDIAN AD LITEM FOR MINOR REPRESENTATIVE OF DECEASED JUDGMENT-DEBTOR.**

Section 460 of the Code of Civil Procedure.

In the Court of _____ at _____

Civil Suit No. _____ of 18 .

A. B. of _____ Plaintiff,

against

C. D. of _____ Defendant.

To _____ inhabitant of _____

Whereas enforcement of the decree made in the above suit has been applied for against E. F. as heir (or representative) of the said C. D., deceased, and whereas the said E. F. is a minor: You are hereby appointed his guardian for the said suit, and are empowered to act on his behalf in the conduct of the case.

Given under my hand and the seal of the Court this _____ day of 18 .



Judge.

LIV.**APPLICATION FOR ARREST BEFORE JUDGMENT.**

Section 477 of the Code of Civil Procedure.

In the Court of _____ at _____

Civil Suit No. _____ of 18 .

A. B. of _____ Plaintiff,

against

C. D. of _____ Defendant.

I, A. B., the said Plaintiff, petition the Court that, in the suit above specified, the said Defendant, with intent to avoid, or delay me, or to obstruct or delay the execution of any decree that may be passed against him therein, is about to leave the jurisdiction of the Court [*or otherwise as the case may be*], as is more particularly set forth in the accompanying affidavit.

I, A. B., the said Plaintiff, therefore, apply to the said Court that security may be taken for the appearance of the said Defendant C. D. to answer any judgment that may be passed against him in the said suit.

Dated this day of 18 .
(Signed)

LV.

BAIL FOR APPEARANCE OF A DEFENDANT ARRESTED BEFORE JUDGMENT.

Section 479 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,

Defendant.

Whereas, at the instance of the said , the Plaintiff in the suit above specified, the said Defendant has been arrested and brought before the Court ;

And whereas, on the failure of the said Defendant, , to show cause why he should not give good and sufficient security for his appearance, the said Court has ordered him to furnish such security :

Therefore I, , inhabitant of , have voluntarily become security, and do hereby bind myself, my heirs, and executors, to the said Court, that the said Defendant, , shall appear at any time when called on while the suit is pending, and until execution or satisfaction of any decree that may be passed against him in the said suit ; and in default of such appearance I bind myself, my heirs, and executors, to pay to the said Court, at its order, any sum of money that may be adjudged against the said Defendant in the said suit with costs.

Witness my hand at this day of 18 .
(Signed)

Security,

Witnesses.

LVI.**SUMMONS TO DEFENDANT TO APPEAR ON SURETY'S
APPLICATION FOR DISCHARGE.**

Section 480 of the Code of Civil Procedure.

In the Court of _____ at _____
Civil Suit No. _____ of 18 .

A. B. of _____ Plaintiff,
_____ against _____
C. D. of _____ Defendant.

To C. D., inhabitant of _____, Defendant.

Whereas E. F. of _____, who became surety on
the _____ of _____ 18 _____ for your appearance in
the above suit, has applied to this Court to be discharged from his
obligation :

You are hereby summoned to appear in this Court in person at
_____ A.M. on _____ day the _____ of _____ 18
when the said application will be heard and determined.

Given under my hand and the seal of the Court this _____ day
of _____ 18 .



Judge.

LVII.**APPLICATION FOR ATTACHMENT BEFORE JUDGMENT.**

Section 483 of the Code of Civil Procedure.

In the Court of _____ at _____
Civil Suit No. _____ of 18 .

A. B. of _____ Plaintiff,
_____ against _____

C. D. of _____ Defendant.

I, A. B., the said Plaintiff, petition the Court that, in the suit
above specified, the said Defendant, with intent to obstruct or delay
the execution of any decree that may be passed against him therein,

is about to dispose of his property [or otherwise as the case may be], as is more particularly set forth in the accompanying affidavit. I, A. B., the said Plaintiff, therefore, apply to the said Court that sufficient security may be taken from the said Defendant to fulfil any decree that may be passed against him in the said suit, and that, on his failing to give such security, the undermentioned property belonging to him may be attached until the further order of the Court.

[Description of property with estimated value.]

Dated this day of 18

(Signed) A. B.

LVIII.

SECURITY OF DEFENDANT, FURNISHED BEFORE
ATTACHMENT, FOR FULFILMENT OF DECREE.

Section 484 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,
Defendant.

Amount of Suit, Rupees

Whereas, in the suit above specified, the Plaintiff,
, aforesaid, has applied to the said Court that the said
Defendant,
, may be called on to furnish sufficient secu-
rity to fulfil any decree that may be passed against him in the said
suit, or that, on his failure so to do, certain property of the said
Defendant,
, may be attached ;

And whereas a warrant has been issued by the said Court to the Názir of the said Court, commanding him to call upon the said Defendant, _____, to furnish security in the sum of Rupees _____, or to appear and show cause why he should not furnish such security :

Therefore I, _____, inhabitant of _____, have voluntarily become security, and do hereby bind myself, my heirs and executors, to the said Court, that the said Defendant,

, shall produce and place at the disposal of the said Court, when required, the property hereinbelow specified, viz. (*here give description of property, or refer to an annexed schedule*), or the value of the same, or such portion thereof as may be sufficient to fulfil such decree ; and, in default of his so doing, I bind myself, my heirs, and executors, to pay to the said Court, at its order, such sum, to the extent of Rupees , (*here enter a sufficient sum to cover the amount of suit with costs*) as the said Court may adjudge against the said Defendant.

Witness my hand at this day of 18 .

(Signed)

Security.

Witnesses.

LIX.

SECURITY OF DEFENDANT, FURNISHED AFTER
ATTACHMENT, FOR FULFILMENT OF DECREE.

Section 484 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff.

Defendant.

Amount of Suit, Rupees

Whereas, in the suit above specified, the Plaintiff,
 , aforesaid, has applied to the said Court that the said Defendant,
 , may be called on to furnish sufficient security
to fulfil any decree that may be passed against him in the said suit,
or that, on his failure so to do, certain property of the said Defendant,
 , may be attached ;

And whereas, on the failure of the said Defendant, to furnish such security, or show cause why it should not be furnished, the property aforesaid of the said Defendant, _____, has been attached by order of the said Court :

Therefore I, _____, inhabitant of _____, have voluntarily become security, and do hereby bind myself, my heirs, and executors, to the

said Court, that the said Defendant, , shall produce and place at the disposal of the said Court, when required, the property here-inbelow specified, viz. (*here give description of property, or refer to an annexed schedule*), or the value of the same, or such portion thereof as may be sufficient to fulfil such decree, and in default of his so doing, I bind myself, my heirs, and executors, to pay to the said Court, at its order, such sum to the extent of Rupees , (*here enter a sufficient sum to cover the amount of suit with costs, and the costs of the attachment*) as the said Court may adjudge against the said Defendant.

Witness my hand at this day of 18

(Signed)

Security.

Witnesses.

LX.

SECURITY AGAINST REPETITION OR CONTINUANCE OF BREACH OF CONTRACT OR OTHER WRONGFUL ACT.

Section 493 of the Code of Civil Procedure.

In the Court of

Civil Suit No. 18 .

Plaintiff,

Defendant.

Whereas, in the suit above specified, instituted by the said Plaintiff, , to restrain the said Defendant, , from (*here state the breach of contract or other injury*), the said Court has, on the application of the said Plaintiff, , granted an injunction to restrain the said Defendant from the repetition (*or the continuance*) of the said breach of contract (*or wrongful act complained of*), and required security from the said Defendant against such repetition (*or continuance*);

Therefore I, , inhabitant of , have voluntarily become security, and do hereby bind myself, my heirs, and executors, to the said Court, that the said Defendant, , shall abstain from

the repetition (*or continuance*) of the breach of contract aforesaid (*or wrongful act, or from the committal of any breach of contract, or injury of a like kind, arising out of the same contract, or relating to the same property, or right*), and in default of his so abstaining, I bind myself, my heirs, and executors, to pay into Court, at the order of the Court, such sum, to the extent of Rupees , as the Court shall adjudge against the said Defendant.

Witness my hand at this day of 18 .

(Signed)

Security.

Witnesses.

LXI.

AUTHORITY TO PLEADER TO APPLY FOR REFERENCE OF A SUIT TO ARBITRATORS.

Section 506 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,

Defendant.

Whereas we, the said Plaintiff, , and Defendant, , are desirous that (*here state the particular matter sought to be referred*) in the suit above specified should be referred to the final decision of the arbitrator (*or arbitrators*) hereinbelow named, viz. :—

(*or of arbitrators to be nominated by the Court*) :

Therefore we, the said Plaintiff, , and Defendant, , do hereby specially authorize our Pleaders, that is to say, , on the part of the said Plaintiff, , and , on the part of the said Defendant, , to apply to the said Court on our behalf for an order of reference accordingly.

Witness our hands at this day of 18 .

(Signed)

Plaintiff,

Defendant.

Witnesses.

Section 511 of the Code of Civil Procedure.

Whereas, by an order of the Court of _____, dated the _____ day of _____ last, you were appointed arbitrators for the decision of the suit therewith referred to you, and were, by the terms of the said order of reference, empowered to appoint an umpire, but have not hitherto made such appointment:—

This is to give you notice that I hereby require you to appoint an umpire forthwith.

Dated this day of 18 .

(Signed)

(Plaintiff or Defendant).

LXIII.

**NOTICE TO PARTIES OF THE FILING OF AN
AWARD IN COURT.**

Section 516 of the Code of Civil Procedure.

In the Court of _____ at _____

Civil Suit No. of 18 .

A. B. of **Plaintiff,**
against
C. D. of **Defendant.**

To A. B., inhabitant of (Plaintiff,
and to C. D., inhabitant of (Defendant.)

This is to give you notice that the arbitrator [or arbitrators] appointed in the above suit has [or have] this day filed [his or their] award in this Court.

Given under my hand and the seal of the Court this day of
18 .



Judge.

LXIV.

**NOTICE TO PARTIES OF APPLICATION THAT AN
AGREEMENT FOR REFERENCE TO ARBITRATION
MAY BE FILED IN COURT.**

Section 523 of the Code of Civil Procedure.

In the Court of

To _____, inhabitant of _____

Whereas application has been made by _____, inhabitant of _____, that an agreement in writing, dated _____ whereby you and the said _____ (and any other persons) have agreed that any differences between you shall be referred to the arbitration of _____ and _____ (or of any arbitrators to be appointed by the Court) may be filed in the said Court:

Take notice that you are hereby required, within _____ days from this date, to show cause why the said agreement should not be so filed.

Dated this day of 18 .



Judge.

LXV.**NOTICE TO PARTIES OF APPLICATION THAT AN
ARBITRATION AWARD MAY BE FILED IN COURT.**

Section 525 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

To , inhabitant of

Whereas an application has this day been made to this Court by
 , inhabitant of , that an award made on the
 day of last by and in a mat-
 ter referred to their arbitration by you and the said on the
 day of , may be filed in Court :

Take notice that you are hereby required, within days from
 this date, to show cause why the said award should not be filed, in
 accordance with the said application.

Dated this day of 18 .



Judge.

LXVI.**NOTICE TO PARTIES OF THE FILING OF AN AGREE-
MENT UNDER SECTION 529.**

Section 529 of the Code of Civil Procedure.

In the Court of

To , inhabitant of

Take notice that , inhabitant of , has this day
 presented in this Court an agreement entered into by you and the
 said (and) that, upon the finding of this
 Court in the affirmative (or negative) of a certain question of law (or
 fact) therein stated, that is to say (state the question of law or fact)

the sum of Rupees shall be paid by you (or the said)
to the said , (or to you, or that certain pro-
perty shall be delivered by one to the other, or that one or more of the
parties shall do or refrain from doing some particular act), and that
the Court will proceed to hearing of the case on day of

Dated this day of 18



Judge.

LXVII.

SECURITY BOND WHEN EXECUTION IS STAYED OF DECREES UNDER APPEAL.

Section 545 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18

Plaintiff,

Defendant.

Whereas a decree was passed in the said Court, on the
day of , adjudging the said to pay the sum of
Rs. to the said (or to transfer to the said
a house situated at , or bighás of land situated at ,
or to perform certain acts, &c., as the case may be), for the stay of
execution of which decree the said has preferred an appli-
cation ;

And whereas it has been ordered by the said Court that the exe-
cution of the said decree should be stayed if the said , the
applicant, find good and sufficient security in the sum of Rupees
 for the due performance of such decree or order as
may ultimately be binding upon him.

Therefore I, , inhabitant of , have voluntarily be-
come security, and do hereby bind myself, my heirs, and executors,
to the said Court that the said , his heirs, and executors

shall obey and fulfil such decree or order as may ultimately be binding upon him or them ; and in default of his or their so doing, I bind myself, my heirs, and executors, to pay, at the order of the said Court, all such sums as the said Court shall, to the extent of Rupees aforesaid, adjudge against me.

Witness my hand at this day of 18

(Signed)

Security.

Witnesses.

LXVIII

NOTICE TO BE ISSUED BY COURT TO SHOW CAUSE AGAINST STAY OF EXECUTION UNDER SECTION 545 OF THE CODE OF CIVIL PROCEDURE OF THE ORIGINAL COURT'S DECREE, ON APPLICANT FURNISHING DUE SECURITY FOR FULFILMENT OF DECREE.

Section 545 of the Civil Procedure Code.

In the Court of the District Judge of

Appeal No. of 18

Original Suit No. of 18

A. B.

Applicant,

Original_____

versus

C. D.

Opponent,

Original_____

To

C. D., , inhabitant of

Whereas the said Applicant has applied to this Court to issue an order to stay execution of Court's decree under Section 545 of the Code of Civil Procedure :

Take notice that you are hereby required to show cause, at
 A. M. on day the day of 18 , why an order as afore-
 said should not issue, and if no sufficient cause shall be shown on
 the day specified, this Court will issue an order to stay execution.

Dated this day of 18 .



Judge.

LXIX.

SECURITY WHEN EXECUTION IS ENFORCED PENDING AN APPEAL.

Section 546 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18 .

Plaintiff,
 Defendant.

Whereas a decree was passed in the said Court, on the
 day of , adjudging the said to pay the sum of
 Rs. to the said (or to transfer to the said
 a house situated at , or bighás of land situated at
 , or to perform certain acts, &c., as the case may be),
 against which decree the said has preferred an appeal ;

And whereas it has been ordered by the said Court that the
 execution of the said decree should be enforced if the said
 the Respondent, find good and sufficient security in the sum of
 Rupees for restitution of any property that may be taken
 in execution of the said decree, or of the value thereof, and for the
 due performance of the decree or order of the Appellate Court :

Therefore I, , inhabitant of , have voluntarily
 become security, and do hereby bind myself, my heirs and execu-
 tors, to the said Court, that the said , his heirs, and execu-
 tors, shall, if required by the said Court, restore all such property, or
 the value thereof, and obey and fulfil all such orders and decrees,

as may be given in such appeal, and, in default of his so doing, I bind myself, my heirs, and executors, to pay, at the order of the said Court, all such sums as the said Court shall, to the extent of Rupees aforesaid, adjudge against me.

Witness my hand at this day of 18 .
(Signed)

Security.

Witnesses.

LXX.

SECURITY FOR COSTS UNDER SECTION 549 OF THE CODE OF CIVIL PROCEDURE.

Section 549 of the Code of Civil Procedure.

In the Court of
Appeal No. of 18 .

Appellant,
Respondent.

Whereas the Appellate Court has seen fit to demand security for costs of (the appeal or of the original suit or of both) from the said Appellant, , in the appeal above specified (*or whereas the Appellant, aforesaid, is residing out of British India, and is not possessed of sufficient immoveable property within British India independent of the property to which the said appeal relates, and the Court aforesaid has therefore demanded security for costs of from the said Appellant) :*

Therefore I, , inhabitant of , have voluntarily become security, and do hereby bind myself, my heirs, executors and assigns to the said Court, that the said Appellant, , his heirs, and executors, shall, whenever called on by the said Court, pay all such costs as by the said Court may be ordered, and, in default of such payment, I bind myself, my heirs, and executors, to pay all such costs to the said Court at its order.

Witness my hand at this day of 18 .
(Signed)

Security.

Witnesses.

LXXI.**INTIMATION TO LOWER COURT OF ADMISSION
OF APPEAL.**

Section 550 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18

Plaintiff,
Defendant.

To the JUDGE of the Court of

It is hereby intimated that a memorandum of appeal presented by the Plaintiff (*or Defendant*), , in the above suit against the judgment passed by you therein on the of last, has been this day registered in this Court (*and you are requested to transmit, with all practicable despatch, all material papers in the suit or any paper specially called for*).*

Dated this day of 18



Judge.

LXXII.**NOTICE SPECIFYING EXHIBITS OF WHICH A PARTY
IN AN APPEAL MAY REQUIRE COPIES TO BE MADE
AND DEPOSITED IN LOWER COURT.**

Section 550 of the Code of Civil Procedure.

In the Court of

Civil Suit No. of 18

Plaintiff,
Defendant.

To the JUDGE of the said Court.

I, , Plaintiff (*or Defendant*) in the suit above specified, the papers of which have been called for on an appeal

* To be added if the records of the suit should not be deposited in the Appellate Court.

registered in the Court of _____, hereby give notice that I require copies to be made, and deposited in the Court of aforesaid, of the undermentioned exhibits recorded in the said suit viz.:—

Dated this _____ day of _____ 18 _____

(Signed)
Plaintiff (or DEFENDANT.)

LXXIII.

NOTICE TO A PARTY TO A SUIT NOT MADE A PARTY TO THE APPEAL, BUT JOINED BY THE COURT AS A RESPONDENT.

LXXIV.

APPLICATION TO APPEAL IN *FORMA PAUPERIS*.

Section 592 of the Code of Civil Procedure.

In the Court of _____ at _____
 Civil Suit No. _____ of 18 _____ of the Court of the
 _____ at _____
 A. B. of _____ Plaintiff
 _____ (or Defendant).
 _____ against _____
 C. D. of _____ Defendant.

To be inserted in the High Court Civil Circulars as
 FORM LXXV.

BOND ~~_____~~ GIVEN BY THE GUARDIAN OF THE

121
 (A)
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but you have not power to sell or mortgage any immoveable property, or to grant a lease thereof for any period exceeding five years, without an order of this Court previously obtained.

2. You are to keep regular accounts of all moneys received or disbursed by you on account of the estate, and to preserve all vouchers and other documents necessary to prove the correctness of such accounts.

3. In the event of this certificate being recalled, under the provisions of Section 21 of Act XX of 1864, you will be required to make over the property in your hands to your duly appointed successor, and to account to your successor for all sums of money or other property received by you.

4. In the event of your desiring to resign your trust, this Court will give you a discharge therefrom on your accounting to your successor for all sums of money or other property received by you, and on your making over the property in your hands.

(When security is taken under Section 12 of Act XX of 1864, the following section is to be added to the certificate :—

5. You are hereby required to give security in the sum of Rs. for the due performance of your duties under this certificate.)

District Judge.

Note.—This certificate is granted on the solemn affirmation of the Applicant that the property to which it relates is estimated to be worth in gross * * * * *. Take notice that in case a court-fee of smaller amount than is prescribed in Act VII of 1870, Schedule I, has been paid on this certificate in consequence of any mistake or a want of knowledge of the exact value of the property of the said minor, you are to pay up to the Chief Controlling Revenue Authority the deficiency in the amount of stamp duty within six months after the 1st day of April next or after the discovery of the mistake or the discovery of property not known at the date of this certificate to have belonged to the said minor; and in the event of your failure to make good such deficiency as aforesaid, you will be liable to forfeit the sum of Rs. 1,000, and also a further sum of Rs. 10 per cent. on the amount of the sum wanting to make up the proper court-fee according to the provisions of Section 6, 19 G. and 19 H. of Act XIII of 1867.

LXXXVI.

APPLICATION UNDER SECTION 10, ACT VIII OF 1890.
In the Civil Court of the District of

To

His Honor

District Judge of

Dated , the of 18 .

The humble petition of

son of
resident of
Sheweth,

* Son or daughter as the That , * of ,
case may be.

ordinarily residing at , was born on the
of 18 , and is by religion a and by sex a .

That the said
† Omit this paragraph if a male; if a female unmarried,
is the wife † of
substitute the word unmarried;
if married, state also the age of
her husband.

‡ Here state nature, situa- That the said minor is entitled to
tion and approximate value, if certain property, to wit, ‡
any, of the property of the
minor.

That the said property is in the custody or possession of
residing at .

§ Son or daughter, and, if That § of
married, the name of the hus- has the custody of the
band. person of the said minor.

|| Son or daughter, and, if That the minor has the following
married, the name of the hus- near relations, viz. , || of
band.

**State relationship to minor. residing at **

***. Here state whether an
application has at any time
been made to this Court or to
any other Court with respect
to the guardianship of the per-
son or property, or both, of the
minor and if so, when, to what
Court and with what result.

That ***

That no guardian of the person or property of the said minor has been appointed by any person entitled or claiming to be entitled by the law to which the minor is subject to make such an appointment.

†††. State whether to the person or the property of the minor, or to both.

That this application is for the appointment [or declaration, *as the case may be*] of a guardian to the ††† of the said minor.

That your petitioner is †††

‡‡‡. Here state the degree of relationship to, or connection with, the minor, or any other grounds on which the petitioner claims to be entitled to be appointed or declared guardian, and the causes which have led to the making of the application, together with such other particulars as may be necessary.

That your petitioner, therefore, prays that an order appointing [or declaring, *as the case may be*] to be guardian to the said minor be issued under Section 7 of Act VIII of 1890.

And your petitioner as in duty bound &c.

I, _____, the petitioner named in the above petition, do solemnly affirm that what is stated therein is true to the best of my information and belief.

Signed in the presence of §§

§§. If not so signed but admitted by the petitioner to the witness to be his signature, to be so stated.

(Signature of petitioner).

Solemnly affirmed before me, this _____ day of _____ 18 .

District Judge.

(Published in the *Government Gazette* for 1893, Part I, pages 942 and 943.)

26th September 1893.

To be substituted for form LXXX at page 242
of the High Court Civil Circulars.

LXXX.

NOTICE OF APPLICATION UNDER SECTION 11
OF ACT VIII OF 1890.

In the District Court of

NOTICE.

In the matter of the application of A B under Act VIII of
1890.

Whereas A B, inhabitant of
has presented an application to this Court praying that
may be appointed

to of the
following minor (or minors), viz:—

O D , alleged age , caste , inhabitant of
E F , do. , do. , do.

This is to give notice that day of
next (at A. M.) has been fixed by the Court for
hearing the said applicant's petition and that any objections
which any persons may wish to raise thereto will be heard and
determined on that same day.

Dated 18 .

District Judge.

(Published in the *Government Gazette* for 1893, Part I, page
942.)

26th September 1893.

LXXVI.

FORM OF CERTIFICATE OF ADMINISTRATION AND GUARDIANSHIP UNDER SECTIONS 6 AND 10 OF ACT XX OF 1864.

In the matter of the estate of

, a minor.

1. Whereas this Court has, under the provisions of Section 6 of Act XX of 1864, appointed you, , to, administer the estate of , a minor, until the said , shall have attained the age of twenty-one years: you are hereby entrusted with the charge of the property of the said ; you may exercise the same powers in the management of the estate as might have been exercised by the said if not a minor; and you may collect and pay all just claims, debts, and liabilities due to or by the estate of the said , but you have not power to sell or mortgage any immoveable property, or to grant a lease thereof for any period exceeding five years, without an order of this Court previously obtained.

2. You are to keep regular accounts of all moneys received or disbursed by you on account of the estate, and to preserve all vouchers and other documents necessary to prove the correctness of such accounts.

3. In the event of this certificate being recalled under the provisions of Section 21 of Act XX of 1864, you will be required to make over the property in your hands to your duly appointed successor, and to account to your successor for all sums of money or other property received by you.

4. In the event of your desiring to resign your trust, this Court will give you a discharge therefrom on your accounting to your successor for all sums of money or other property received by you; and on your making over the property in your hands.

5. You are also hereby appointed guardian of the person of the said , and are authorized to retain from the estate of the said the sum of Rupees a month, assigned by this Court as a suitable remuneration for the trouble and responsibility connected with the discharge of your trust.

6. You are bound to provide for the education of the said
in a suitable manner
under the general superintendence and control of this Court.

7. You are authorized to expend the sum of Rupees
month, fixed by this Court as an allowance for the maintenance of
the said

8. All charges and expenses connected with the education and
marriage of the said will be defrayed
in accordance with the provisions of Sections 28 and 29 of Act XX
of 1864.

9. You may, for any sufficient cause, be removed from your
trust by this Court.

*(When Security is taken, under Section 12 of Act XX of 1864, the
following section is to be added to the certificate :—*

10. You are hereby required to give security in the sum of
Rupees for the due performance of your duties as
administrator under this certificate.)

District Judge.

Note.—This certificate is granted on the solemn affirmation of the Applicant that the property to which it relates is estimated to be worth in gross * * * * *. Take notice that in case a court-fee of smaller amount than is prescribed in Act VII of 1870, Schedule I, has been paid on this certificate in consequence of any mistake or want of knowledge of the exact value of the property of the said minor, you are to pay up to the Chief Controlling Revenue Authority the deficiency in the amount of stamp duty within six months after the 1st day of April next or after the discovery of the mistake or the discovery of property not known at the date of this certificate to have belonged to the said minor; and in the event of your failure to make good such deficiency as aforesaid, you will be liable to forfeit the sum of Rs. 1,000, and also a further sum of Rs. 10 per cent. on the amount of the sum wanting to make up the proper court-fee according to the provisions of section 6, 19 G. and 19 H. of Act XIII of 1875.

Note—For certificate to Collectors under the Minors Act, see Circular No. 180.

LXXVII.**FORM OF CERTIFICATE OF GUARDIANSHIP WHEN SOME PERSON OTHER THAN THE ADMINISTRATOR IS APPOINTED GUARDIAN UNDER SECTION 6 OR 10 OF ACT XX OF 1864.**

In the matter of the estate of _____, a minor.

1. Whereas this Court has, under the provisions of Section 6 (or Section 10) of Act XX of 1864, appointed you, _____, guardian to take charge of the person and maintenance of _____, a minor, until the said _____ shall have attained the age of twenty-one years : you are hereby intrusted with the charge of the person and maintenance of the said _____, and you are authorized to receive from the Public Curator (or administrator of the estate) the sum of Rupees _____ a month assigned by this Court as suitable remuneration for the trouble and responsibility connected with your trust.

2. You are bound to provide for the education of the said _____ in a suitable manner, under the general superintendence and control of this Court.

3. You will receive from the Public Curator (or administrator) the sum of Rupees _____ a month, fixed by this Court as an allowance for the maintenance of the said _____.

4. All charges and expenses connected with the education and marriage of the said _____ will be defrayed in accordance with the provisions of Sections 28 and 29 of Act XX of 1864.

5. You may, for sufficient cause, be removed from your trust by this Court.

District Judge.

LXXVIII.**FORM OF CERTIFICATE OF ADMINISTRATION TO PUBLIC CURATOR OR OTHER PERSON UNDER SECTION 9 OF ACT XX OF 1864.**

In the matter of the estate of _____, a minor.

1. Whereas this Court has, under the provisions of Section 9 of Act XX of 1864, appointed you, _____, to

administer the estate of _____, a minor,
 until the said _____ shall have
 attained the age of twenty-one years ; you are hereby intrusted with
 the charge of the property of the said _____ ;
 you may exercise the same powers in the management of the estate
 as might have been exercised by the said _____, if
 not a minor, and you may collect and pay all just claims, debts, and
 liabilities due to or by the estate of the said _____ ;
 but you have not power to sell or mortgage any immoveable property,
 or to grant a lease thereof for any period exceeding five years, with-
 out an order of this Court previously obtained.

2. Within six months from this date you are to deliver in Court
 an inventory of all the immoveable property belonging to the said _____
 _____, and of all such
 sums of money, goods, effects, and things as you may have received
 on account of the estate, together with a statement of all debts due
 by or to the same.

3. You are to furnish annually, within three months from the
 first of May of the Christian year, an account of the property in your
 charge, exhibiting the amounts received, disbursed, and invested on
 account of the estate, and the balance in hand, together with the
 vouchers and other documents necessary to prove the correctness of
 the account.

4. You are hereby authorized to pay monthly to
 appointed to be guardian of the person of the said _____,
 the sum of Rupees _____, fixed by this Court as allowance for the main-
 tenance of the said _____, and the sum of Rupees _____
 assigned as remuneration to the said _____ as guardian.

5. All sums received by you on account of the estate, in excess
 of what may be required for the current expenses of the minor or of
 the estate, you are to invest, on account of the estate, from time to
 time, in the public securities.

6. You will be entitled to receive a commission of
 per centum on the sums received and disbursed by you (*or, if an
 allowance is fixed, its amount should be stated*).

7. In the event of this certificate being recalled, under the pro-
 visions of Section 21 of Act XX of 1864, you will be required to
 make over the property in your hands to your duly appointed suc-

cessor, and to account to your successor for all moneys received and disbursed by you.

8. In the event of your desiring to resign your trust, this Court will give you a discharge therefrom on your accounting to your successor for all moneys received and disbursed by you, and on your making over the property in your hands.

(When security is taken, under Section 12 of Act XX of 1864, from an Administrator appointed under Section 9, such Administrator not being the Collector of the District or the Public Curator, the following section is to be added to the certificate :—

9. You are hereby required to give security in the sum of Rupees for the due performance of your duties under the certificate.)

District Judge.

Note.—This certificate is granted on the solemn affirmation of the Applicant that the property to which it relates is estimated to be worth in gross * * * *. Take notice that in case a court-fee of smaller amount than is prescribed in Act VII of 1870, Schedule I, has been paid on this certificate in consequence of any mistake or want of knowledge of the exact value of the property of the said minor, you are to pay up to the Chief Controlling Revenue Authority the deficiency in the amount of stamp duty within six months after the 1st day of April next, or after the discovery of the mistake or the discovery of property not known at the date of this certificate to have belonged to the said minor; and in the event of your failure to make good such deficiency as aforesaid, you will be liable to forfeit the sum of Rs. 1,000, and also a further sum of Rs. 10 per cent. on the amount of the sum wanting to make up the proper court-fee, according to the provisions of Sections 6, 19 G. and 19 H. of Act XIII of 1875.

LXXIX.

NOTE TO BE APPENDED TO CERTIFICATES MENTIONED
IN ARTICLE 10 OR 12 OF SCHEDULE I, ACT VII OF
1870.

The person, to whom this certificate is granted, or his representative, is required, within three months after the expiration of twelve months from the date of this certificate, and thereafter whenever the Court shall so require, to file a statement on oath (or solemn affirmation) of all moneys recovered or realized by him under this certificate.

*Cancelled & a new form
prescribed & published at
G. O. S. page 942 242 of 1893 part I
See NAC-297*

LXXX.

NOTICE OF APPLICATION FOR CERTIFICATES UNDER
ACT XX OF 1864.

In the District Court of

NOTICE.

In the matter of the application of A.B. under Act XX of 1864.

Whereas the said A. B., inhabitant of _____, has presented an application to this Court praying that he (or the Nazir of this Court, or other person, *as the case may be*) may be appointed to administer the estate of (or guardian to the person of, or both, *as the case may be*) the following minor (or minors), viz. :—

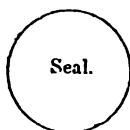
C. D. _____, alleged age _____, caste _____, inhabitant of _____

E. F. _____, do. _____, do. _____, do. _____

This is to give notice that _____ day the _____ day of _____ next (at _____ A.M.) has been fixed by the Court for hearing the said Applicant's petition, and that any objections, which any persons may wish to raise thereto, will be heard and determined on that same day.

Dated

18 .



District Judge.

LXXXI.

NOTICE OF APPLICATION FOR CERTIFICATES UNDER
ACT XXVII OF 1860.

In the District Court of

NOTICE.

In the matter of the application of A.B. under Act XXVII of 1860.

Whereas the said A. B., inhabitant of _____, has presented an application to this Court praying for a certificate to empower him to collect the debts of the deceased C. D., inhabitant of _____ :

This is to give notice to all persons who may dispute the right of the aforesaid applicant to receive such certificate, that the Court has

fixed day the day of next (at A. M.) for hearing the said Applicant's petition, and that any objections, which any such persons may wish to raise, will be heard and determined on that same day.

Dated

18 .



Judge.

LXXXII.

SUMMONS TO DEFENDANT IN SUITS UNDER THE DEKKHAN AGRICULTURISTS' RELIEF ACT (XVII OF 1879).

(Title.)

To

dwelling at

Whereas

NOTICE.—Should you apprehend your witnesses will not attend of their own accord, you can have summonses from this Court to compel the attendance of any witness, and the production of any document that you have a right to call upon the witness to produce on applying to the Court at any time before the trial, and depositing the necessary travelling and subsistence money.

has instituted a suit against you for , you are hereby required to appear in person before this Court to give evidence on the day of at the hour of A. M.

As the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day ; and you will bring with you which the Plaintiff desires to inspect, and any documents on which you intend to rely in support of your defence.

A sum of Rs. , being your travelling and other expenses, and subsistence allowance for one day, is herewith sent.

(Note.—The following notice to be pasted on the above summons in cases where the Plaintiff asks that this should be done.)

You are further informed that the said Plaintiff has presented with his plaint the following documents, namely:

(Describe documents.)

You are hereby required, within four days from the receipt of this summons, to file in this Court a written admission, signed by you, that the aforesaid documents are genuine, or within four days

This admission may be made without prejudice to all other just grounds of defence, to appear in person and make such admission. If you fail to do this, you will be liable, whatever may be the result of the suit, to bear the expense which the Plaintiff may incur in proving the aforesaid documents.

Given under my hand and the Seal of the Court this
day of 188 :



Judge.

The above form of Summons should be used only in the case of suits other than suits for an account under Section 16 of Act XVII of 1879.

LXXXIII.

REGISTER OF AGREEMENTS UNDER SECTIONS 44 AND 45 OF ACT XVII OF 1879.

Register of Agreements under Sections 44 and 45 of Act XVII of 1879 and of Applications for execution of such Agreements in the Court of the Subordinate Judge of for the year

Consecutive number.	Date of receipt.	From whom received.	Conciliator's number.	Date of agreement.	Names of parties, with their places of residence and occupations.	Substance of the agreement, with a short history of the case.	Date fixed for hearing.	Order by the Subordinate Judge and date.	Date of application for execution.	By whom and against whom.	For what.	Results.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14

FORM OF CERTIFICATE FOR REFUND OF COURT FEES.

No.

Amount ordered to be refunded to A. B.

Certified that A. B. is entitled, under Section

under Section . of the Court Fees,

Court Fees' Act (VII of 1870), to receive back from the Collector

Act in	No.	of
1867	1	1
1868	2	2
1869	3	3
1870	4	4
1871	5	5
1872	6	6
1873	7	7
1874	8	8
1875	9	9
1876	10	10
1877	11	11
1878	12	12
1879	13	13
1880	14	14
1881	15	15
1882	16	16
1883	17	17
1884	18	18
1885	19	19
1886	20	20
1887	21	21
1888	22	22
1889	23	23
1890	24	24
1891	25	25
1892	26	26
1893	27	27
1894	28	28
1895	29	29
1896	30	30
1897	31	31
1898	32	32
1899	33	33
1900	34	34
1901	35	35
1902	36	36
1903	37	37
1904	38	38
1905	39	39
1906	40	40
1907	41	41
1908	42	42
1909	43	43
1910	44	44
1911	45	45
1912	46	46
1913	47	47
1914	48	48
1915	49	49
1916	50	50
1917	51	51
1918	52	52
1919	53	53
1920	54	54
1921	55	55
1922	56	56
1923	57	57
1924	58	58
1925	59	59
1926	60	60
1927	61	61
1928	62	62
1929	63	63
1930	64	64
1931	65	65
1932	66	66
1933	67	67
1934	68	68
1935	69	69
1936	70	70
1937	71	71
1938	72	72
1939	73	73
1940	74	74
1941	75	75
1942	76	76
1943	77	77
1944	78	78
1945	79	79
1946	80	80
1947	81	81
1948	82	82
1949	83	83
1950	84	84
1951	85	85
1952	86	86
1953	87	87
1954	88	88
1955	89	89
1956	90	90
1957	91	91
1958	92	92
1959	93	93
1960	94	94
1961	95	95
1962	96	96
1963	97	97
1964	98	98
1965	99	99
1966	100	100

Rs. ; the stamp on his

in No. of

Rs. a. p.

in Court having been Rs. and the Court having

(give details of refund as ordered).

Date _____

(Signed) A. B.,

Judge.

21st December, 18

Date _____

In the Court of the Judge of
Suit No. of 18 .

A. B. *Plaintiff.*
C. D. *Defendant.*

Ra

The Plaintiff sues to recover (state the substance clearly).

C. D.'s defence is (state the substance clearly).

The issues for decision are—

1st—

2nd---

3rd—

&c.

No further issue was sought by either party.

or, The Plaintiff (or Defendant) desired to have another issue added, viz.—

(Set it out.)

Which I declined to accede to, because, &c. (state reasons).

or, Having considered that the case was to be decided upon a preliminary point, viz.,—(state it).

I declined to settle any other issue,
or, which is added as No. 4.

~~Evidence having been taken (or as the case may be) upon the above issues, Mr. [redacted] addressed the Court for the Plaintiff and Mr. [redacted] for the Defendant.~~

My finding upon No. 1 is, &c.

Finding on No. 2 is, &c.

Finding on No. 3 is, &c.

My reasons for these findings are—

(Set them out).

I, therefore, order that the Plaintiff do recover from the Defendant (state what).

or, I, therefore, reject the Plaintiff's claim.

I order the costs to be paid as follows:—

(State particulars.)

(Signed) E. F.,
Judge.

LXXXVI.

FORM OF APPELLATE JUDGMENT (SEE CIRCULAR No. 44).

In the Court of the District Judge of

Appeal No. of 18 .

(Original Suit No. of 18 in the Court of the Subordinate Judge of)

A. B. (*Plaintiff*), Appellant.

C. D. (*Defendant*), Respondent.

This action was instituted by A. B. to (*state substance clearly*).

C. D.'s defence was that (*state substance clearly*).

The Subordinate Judge of decided in favour of A. B. (*or C. D.*), on the grounds that (*state them shortly, but clearly*), and awarded that (*state decretal order*) (*or, rejected A. B.'s claim.*)

A. B. (*or C. D.*) appeals, on the grounds that—

1st—

2nd—

3rd—

The Respondent's Vakîl also urges the following objections to the lower Court's judgment, *viz.*—

(1)

(2)

(3)

(*Or*) The points for determination appear to be—

No. 1.

No. 2.

&c.

No further point is suggested by either party.

Or A. B. (*or C. D.*) desires to have another point added, *viz.*—

(*set it out*), which I decline to accede to, because, &c.

Or, which I allow, and record as No.

Or A. B. (*or C. D.*) applies to have further evidence received upon point No. I accede to this request (*state reasons*), *or* I decline to accede to this request (*state reasons*).

Mr. addressed the Court upon the above points for the Appellant, and Mr. for the Respondent.

My finding upon point No. 1 is, &c.

Finding on point No. 2 is, &c.

Finding on point No. 3 is, &c.

For the following reasons (*set them forth*),
and therefore

I confirm the decree of the Subordinate Judge.

Or, I amend the decree of the Subordinate Judge by (*state how*).

Or, I reverse the decree of the Subordinate Judge, and reject the claims, *or* award A. B., &c.

I order the costs to be borne by (*state*).

X. Y.,

District Judge *or* Assistant Judge.

Memorandum Book (see Circular No. 70-A).

A-1.

day the

190 .

Sessions cases and Criminal appeals and applications.	Original suits and Civil applications.	Regular and miscellaneous appeals.	Any suit or pr ceeding comin before the Cou on this date a not entered in column 1, 2 or
1	2	3	4

(Vide *Bombay Government Gazette* for 1902, Part I, page 687).

A-2.

Suits.

day the

190 .

Suits fixed for final disposal.	Suits fixed for settlement of issues.	Adjourned hearings.	Suits coming be- fore the Court on this date without having been pre- viously fixed.
1	2	3	4

(Vide *Bombay Government Gazette* for 1902, Part I, page 687).

LXXXVII.

Memorandum Book (see Circular No. 70-A).

A-8.

Darkhasts and Miscellaneous Applications.

day the

190 .

Fixed for first hearing.	Adjourned hearing.	Remarks.
1	2	3

(Vide *Bombay Government Gazette* for 1902, Part I, page 688).

—
suit
fina
—
—

LXXXVII.

MEMORANDUM BOOK (SEE CIRCULAR No. 70-A).
JANUARY 1888.

of P.	For Final Disposal.	For Settlement of Issues.	Adjourned hearings.	Other Suits and Applications.
	2	3	4	5
MONDAY, 1ST.	✓1458 of 1887. ✓1679 do. 1680 do. 1691 do.	✓1200 of 1887. ✓1245 do. ✓1290 do. 1300 do. 1314 do.	✓810 of 1887. ✓945 do.	Misc. 5 of 1888. Misc. 501 of 1887.
TUESDAY, 7TH.			1680 of 1887.	

JANUARY 1888.

Day of Week.	For Final Disposal.	For Settlement of Issues.	Adjourned hearings.	Other Suits and Applications.
1	2	3	4	5
WEDNESDAY, 8TH				
THURSDAY, 9TH			1300 of 1887. 1314 of 1887. &c. &c.	

JANUARY 1888.

Day of Week.	For Final Disposal.	For Settlement of Issues.	Adjourned hearings.	Other Suits and Applications.
1	2	3	4	5
FRIDAY, 10 TH				
SATURDAY, 11 TH .			1691 of 1887.	

The Court of the Subordinate Judge of _____ *in the District of* _____

Dates on which the Suit or Miscellaneous matter comes before the Court for any proceeding.	No. of Exhibit.	Suit No. — wd. — — wd. — Claim Rs. of 188 Plaintiff, vs. Defendant.	Date to which the Suit is adjourned.
10th January 1888.	1 2 3	Plaint presented by Plaintiff's Vakíl examined and registered, or "by Plaintiff" or "Plaintiff's Mukhtyár," <i>as the case may be.</i> Plaintiff's Vakílpatra " (or Mukhtyár-náma.)" Notice to the Defendant. Case adjourned for final disposal to 1st February. (Signed) A. B., Subordinate Judge.	1st February 1888.
11th January 1888.	4 5	Plaintiff appears by Vakíl. Plaintiff's application for summonses to two witnesses. Summonses to Plaintiff's witnesses. (Signed) A. B., Subordinate Judge.	
14th January 1888.	6 7 8	Defendant appears by Vakíl. Defendant's Vakílpatra. Defendant's application for summonses to two witnesses. Summonses to Defendant's witnesses. (Signed) A. B., Subordinate Judge.	
20th January 1888.	9 10 11 12	Plaintiff appears with his Vakíl to apply for attachment before judgment under Section 483 of the Code of Civil Procedure. Plaintiff's application for attachment. Plaintiff's examination on solemn affirmation. Examination of Plaintiff's witness Rámchandra Ganesh. <i>Interim</i> warrant issued to the Názir for attachment of the Defendant's property, under Section 484 of the Code of Civil Procedure, pending disposal of the application. The Defendant to appear and show cause on the 22nd instant. (Signed) A. B., Subordinate Judge.	22nd January 1888.

LXXXVIII—continued.

Dates on which the Suit or Miscellaneous matter comes before the Court for any proceeding.	No. of Exhibit.	Suit No. of 188 —wd.— Plaintiff, —wd— vs. Claim Rs. Defendant.	Date to which the Suit is adjourned.
22nd January 1888.	13	Defendant appears with his Plead- to show cause against the attach- ment. The Plaintiff appears by his Vakil. Defendant's application showing cause why the attachment should be removed (<i>if given in writing</i>). 14 Court's order rejecting the petition of Plaintiff. (Signed) A. B., Subordinate Judge.	20th February 1888.
1st February 1888.	15	The suit is called on for hearing this day. Both parties present by their Pleaders. The issues being settled, the Plaintiff's Pleader states his case and the Court proceeds to examine his witnesses. 15 Deposition of Plaintiff's witness Ga- neesh. 16 Deposition of Plaintiff's witness Ra- ghunáth. All witnesses summoned on behalf of the Plaintiff have now been examined, with the exception of Abáji Balwant, who is not pre- sent. 17 The Defendant's Pleader states his case. Deposition of Defendant's witness Pándurang. 18 Deposition of Defendant's witness Hanmantráo. 19 Defendant's application for sum- monses to two additional witnesses. Good cause having been shown why the additional witnesses should be summoned, the hearing of the case is adjourned to 20th February.	20th February 1888.
2nd February 1888.	20	Summons to Defendant's witnesses. (Signed) A. B., Subordinate Judge.	20th February 1888.
10th February 1888.		The Defendant's witness Náráyan appears and states that as he is required to leave the jurisdiction of the Court on emergent private business, he be examined forthwith under Section 192 of the Code of Civil Procedure.	

LXXXVIII—continued.

Dates on which the Suit or Miscellaneous matter comes before the Court for any proceeding.	No. of Exhibit.	Suit No. of 188 —wd.— Plaintiff, —wd— vs. Defendant. Claim Rs.	Date to which the Suit is adjourned.
20th February 1888.	21	The witness' application to be examined forthwith. Good cause having been shown why the witness should be examined forthwith, the witness is examined accordingly. (Signed) A. B., Subordinate Judge.	
	22	Deposition of the Defendant's witness Náráyan. The suit is called on for hearing this day. Both parties present with their Pleaders.	
	23	Deposition of the Defendant's witness Balwant. All the witnesses summoned for the Defendants have now been examined, with the exception of Bápu bin Rághu, who is reported sick and unable to attend. After hearing the Plaintiff's Pleader in 'reply' the Court proceeds to deliver judgment.	
	24	The proceedings of the Court, written in the Judge's own handwriting.*	
	25	The decree, including memo. of costs. (Signed) A. B., Subordinate Judge.	

* i.e. the memo. of evidence and judgment to be made up into one compilation.

Subordinate Judge.

REGISTER OF MISCELLANEOUS WORK (SEE CIRCULAR No. 70-C).

Court of the Subordinate Judge of

Date.	Court's consecutive Number.	Name of Petitioner.	Nature of Petition.	Order thereon.	Remarks.
1	2	3	4	5	6
1st April 1888 ...	100	Anant Raghunáth ...	For copies of decree and judgment in Suit No. 50 of 1888.	Granted.	
	101	Vishvanáth Chintáman.	For copies of exhibits Nos. 40 to 52 filed in Suit No. 20 of 1886.	Record-keeper's report called for.	See 4th April 1888.
	102	Ganesh Rámchandra Vakil	For eight days' leave to proceed to Wargaoon on emergent private business.	Refused. Applicant referred to Regulation of 1827, §54.	(Signed) E. F., Subordinate Judge.
2nd April 1888 ...	103	Rávjí Parashráam ...	For copies of decree and judgment in Suit No. 20 of 1888.	Granted.	(Signed) E. F., Subordinate Judge.
3rd April 1888 ...	104	Vishnu Ganesh ...	For certificate of sale of a house purchased at public auction in execution of a decree No. 25 of 1888.	Referred to the Nazir for compliance with an order to report his having done so.	See 9th April 1888. (Signed) E. F., Subordinate Judge.
4th April 1888 ...	105	Sakháráam Rámchandra.	For a certificate, &c., for execution of decree No. 75 of 1887 within the jurisdiction of the Subordinate Judge of A. B.	Grant	(Signed) E. F., Subordinate Judge.
	101	See 1st April 1888 ...	.....	The Record-keeper ordered to grant copies.	(Signed) E. F., Subordinate Judge.

XC.**REGISTER OF MISCELLANEOUS APPLICATIONS (SEE CIRCULAR No. 70-D).**

Register of Miscellaneous Applications in the Court of the Subordinate Judge of _____ requiring Judicial investigation for the year 18 _____

1	2	3	4	5	6	7	8	9	10
Date of presentation.	Number of Petition.	Name of Petitioner.	No. of Suit, Appeal, &c., to which Petition refers.	Nature of the Petition.	Date fixed for disposal.	Date of actual disposal.	Substance of the order passed.	Date of appeal, if any.	Decree in Appeal and date.

XCI.

REGISTER OF RECORDS (SEE CIRCULAR NO. 124).

No. of case and year.	Name of Plaintiff.	Name of Defendant.	Date of decision.	Number of papers in the case as per Rozáma.	No. of papers filed after decision, e.g., petitions for copies.	No. of exhibits not to be destroyed.	No. and year of appeal, if any.	If destroyed, to what extent.
-----------------------	--------------------	--------------------	-------------------	---	---	--------------------------------------	---------------------------------	-------------------------------

be substituted for Form No. XCII printed at page 257 of the High Court Civil Circular Order-Book.

XCII.

Register of Applications for copies (see Circular No. 133—V).

Register of Applications for copies kept in the office of the Judge of for the year 19

Serial No.	Date of Application.	Name of Applicant.	No. of case from which the copies are required.	Order on the application.	Amount of fee deposited with the application.	Date on which the copy was ready.	Date on which the copy was delivered.	Amount of balance of deposits returned (if any) to the Applicant and date of its return.	Deficit amount received from the Applicant (if any) and its date.	Sums lapsed and credited to Government.	Signature of the person receiving copies.	Signature of the Head of the office.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
					Rs. a. p.			Rs. a. p.	Rs. a. p.	Rs. a. p.			

XCIII.

REGISTER OF INTESTATE PROPERTY (SEE CIRCULAR NO. 178).

III page 25.

[illegible]

Name.	Date.	Weight.	Assay.	Touch.	Pure Contents		Intrinsic Value of 100.	Where current.	Remarks
					In carats and carat grains.	(or pure metal per cent.)			
1	2	3	4	5	6	7	8	9	
GOLD COINS—PAGODAS OR HUNS.									
Babu Khani...	.....	53.200	0.2½ B.	94.450	50.222	30.437	Sind.		
"	.....	51.900	0.3½ "	95.340	49.467	29.980	"		
Bahátpi ...	.....	54.000	1.2½ W.	84.750	45.765	27.741	Southern Márátha Country.		
Bhutpadi ...	.....	52.900	1.2½ "	84.750	44.832	27.170	Ditto.		
Dhárwá ...	.....	50.520	3.3 "	76.000	38.420	23.280	Karnátio		Rare.
Gharavá Tharoki ...	.....	53.850	1.2½ "	85.250	45.907	27.822	Southern Márátha Country.		
Guddapáti ...	A. H. 1174	50.970	3.2½ "	76.375	38.928	23.592	.....		Coined at Dhárwár and Naragund for the Peshwa.
Hali Sikká ...	" 1174	50.900	3.2½ "	76.375	38.874	23.560	Southern Márátha Country.		
Juna Ilahi ...	.....	52.500	1.3 "	84.375	44.296	26.846	"		
Kajjar ...	.....	52.500	1.0½ B.	96.620	50.721	30.740	Upper Sind.		See Kirmaozaid.
Kirmaozaid ...	" 1174	50.750	3.2½ W.	76.375	38.760	23.490	.....		Coined at Dhárwár and Naragund for the Peshwa.
Kudvanáji ...	A. H.	52.900	1.2½ "	85.125	45.031	27.291	Southern Márátha Country.		
Nágar Tharkoki ...	.....	52.820	1.3 "	84.400	44.570	27.010	.....		Coined by Fatah Ali Khán.
Naldi ...	.....	53.000	1.2½ "	84.500	44.785	27.142	Southern Márátha Country.		
Navi Ekki ...	.....	52.890	1.3 "	84.375	44.625	27.045	Southern M. C.		
Paván Tharoki ...	.....	52.500	1.2½ "	84.900	44.576	27.013	.....		Coined by Fatah Ali Khán.
Pedatola ...	.....	50.000	3.3 "	76.000	38.020	23.042	.....		Coined at Sítara.
Savráti ...									

(i). At page 261, Column 9 (Column of Remarks) for "see Baroda" read "see Sya Shahi".

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Name.	Date.	Weight.	Assay.	Touch.	Pure Contents		Intrinsic Value of 100.	Where current.	Remarks
					In carats and carat grains.	(or pure metal per cent.)			
1	2	3	4	5	6	7	8	9	
GOLD COINS—PAGODAS OR HUNSA.									
Babu Khari...		53.200	0.24 B.	94.450	50.222	30.437	Sind.		
Babu...		51.900	0.34	95.340	49.467	29.980	"		
Bahatupi ...		54.000	1.24 W.	84.750	45.765	27.741	Southern Ma-ratha Country.		
Bhutpadi ...		52.900	1.24	84.750	44.832	27.170	Ditto.		
Dharwar ...		50.520	3.3	76.000	38.420	23.280	Karnatic		Rare.
Gharava Tharoki ...		53.850	1.24	85.250	45.907	27.822	Southern Ma-ratha Country.		
Guddapali ...	A. H. 1174	50.970	3.24	76.375	38.928	23.592	.....		Coined at Dharwar and Nar-gund for the Peshwa.
Hali Sikká ...	" 1174	50.900	3.24	76.375	38.874	23.560	Southern Ma-ratha Country.		
Juna Ilahi ...		52.500	1.3	84.375	44.296	26.846	"		
Kajjar ...		...	...	...	...	...	Upper Sind.		See Kirnaosaid.
Kirnaosaid ...		52.500	1.04 B.	96.620	50.721	30.740	.....		Coined at Dharwar and Nar-gund for the Peshwa.
Kudvanaji ...	A. H. 1174	50.750	3.24 W.	76.375	38.760	23.490	.....		
Nagar Tharkoki ...		52.900	1.24	85.125	45.031	27.291	Southern Ma-ratha Country.		
Naidi ...		52.820	1.3	84.400	44.570	27.010	.....		Coined by Fatah Ali Khan.
Navi Ekkí ...		53.000	1.24	84.500	44.785	27.142	Southern Ma-ratha Country.		
Pavan Tharoki ...		52.890	1.3	84.375	44.625	27.045	Southern M. C.		Coined by Fatah Ali Khan.
Pedatola ...		52.500	1.24	84.900	44.576	27.013	.....		Coined at Sitara.
Savratí ...		50.000	3.3	76.000	38.020	23.042	.....		

High Court's Civil Circulars pages 261 and 265.

(i). At page 261, Column 9 (Column of Remarks) for "see Baroda" read "see Sya Shahi".

GOLD COINS—FANAM.	5-380	11-1½ W.	44-300	9-980	Southern Ma- ratha Country.	Coi K
Gatti...	5-150	16-2 "	22-900	1-180	...	
Gopali	...	...	...	...	...	
SILVER COINS—RUPEES.						
Ahmedabad	Old	Sun	20-6	123-500	9-0 B.	Citt
"	"	...	...	163-480	1-5 W.	Gujarat and Outch
Ahmednagar, Old	...	...	...	177-870	20-0 "	...
Aka Shahi	...	...	...	174-500	14-5 B.	...
Alibag	...	...	...	169-940	4-2 B.	Sind.
Ankusi, Old	...	...	...	...	...	...
"	"	...	...	172-000	3-5 B.	...
Baba Shahi	...	...	...	173-500	2-5 "	...
Bagalkota	...	...	...	...	...	...
Pakhru	...	...	...	175-420	4-0 B.	...
Baroda, Old	...	...	...	173-500	31-0 W.	Sind.
"	"	...	...	177-080	15-5 "	Gadkwar's terri- tories.
Bhru Nagar	...	...	...	179-130	73-5 "	...
Bilapur	...	...	...	170-900	19-0 W.	...
Bombay, Old	...	...	...	178-332	12-0 B.	Poona.
"	"	...	...	178-750	2-5 W.	...
"	"	...	...	179-000	0-5 B.	...
"	"	A.D.	1850	...	...	...
"	"	"	1829	150-000	Sd.	...
Brosch, Old	...	...	...	177-060	7-5 B.	...
"	"	...	...	176-207	6-0 W.	Bombay.
Bandar Takali	...	A.D.	1821	173-437	8-0 B.	...
"	"	...	...	171-562	7-5 "	Bombay.
Burhanpur	...	...	...	178-800	8-5 "	...
Camboy	...	...	...	179-170	20-5 W.	Navab's territo- ries.

Name.	Date.	WEIGHT.	ASSAY.	TOUCH.	PURE CONTENTS		INTRINSIC VALUE OF 100.	Where current.	Remarks
					In carats and carats grains.	(or pure metal per cent.)	In grains.		
1	2	3	4	5	6	7	8	9	
GOLD COINS—PAGODAS OR HUNS.									
Babu Khari...		53-200	0-2½ B.	94-450	50-222	30-437	Sind.		
"		51-900	0-3½ "	95-340	49-467	29-980	"		
Bahádupi ..		54-000	1-2½ W.	84-750	45-765	27-741	Southern Ma-rátha Country.		
Bhutpadi ..		52-900	1-2½ "	84-750	44-832	27-170	Ditto,		
Dhárwár ..		50-520	3-3 "	76-000	38-420	23-280	Karnátic		Rare.
Gháravá Tharoki ..		53-850	1-2½ "	85-250	45-907	27-822	Southern Ma-rátha Country.		
Guddapáli ..	A. H. 1174	50-970	3-2½ "	76-375	38-928	23-592	.....		Coined at Dhárwár and Nar-gund for the Peshwa.
Háli Sikká ..	" 1174	50-900	3-2½ "	76-375	38-874	23-560	Southern Ma-rátha Country.		
Juna Iláhi ..		52-500	1-3 "	84-375	44-296	26-846	"		
Kajjar ..		52-500	1-0½ B.	96-620	50-721	30-740	Upper Sind.		See Kirmaozaid.
Kirmaozaid ..		50-750	3-2½ W.	76-375	38-760	23-490	.....		Coined at Dhárwár and Nar-gund for the Peshwa.
Kudvanáji ..	A. H. 1174	52-900	1-2½ "	85-125	45-031	27-291	Southern Ma-rátha Country.		
Nágar Tharkokí ..		52-820	1-3 "	84-400	44-570	27-010	.....		Coined by Fatah Ali Khán.
Naldi ..		53-000	1-2½ "	84-500	44-785	27-142	Southern Ma-rátha Country.		
Navi Ekki ..		52-890	1-3 "	84-375	44-625	27-045	Southern M. C.		Coined by Fatah Ali Khán.
Paván Tharoki ..		52-500	1-2½ "	84-900	44-570	27-013	.....		Coined at Sitara.
Pedatola ..		50-000	3-3 "	76-000	38-020	23-042			
Sarráti ..									

... 265.
...) for "see
...
 C_0
 C_0

Common in country.

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Name.	Date.	Weight.	Assay.	Touch.		Pure Contract.		Intrinsic Value of 100.	Where current.	Remarks.
				(or pure metal per cent.)		In Grains.				
1	2	3	4	5	6	7	8	9		
Mamashi ...	...	177 750	5.5 W.	SILVER COINS—RUPEES—continued.		96 281	Baroda.			
Manori ...	...	169 500	4.0 "	89 400	158 860	92 454	Ahmednagar.			
Mulla Shahi ...	...	172 400	8.0 R.	90 000	152 550	99 260	Surat.			
Nabah ...	...	169 000	14.0 W.	85 834	145 053	87 911	Shikarpur.			
Nadir Shah ...	...	178 600	14.5 B.	97 700	174 483	105 775	Sind.			
Nadari ...	...	169 350	13.2 "	97 200	164 587	99 749	...			Coined at Bhandá and Hinganghat called Nishándár before 1817, called Naldar after 1817.
Naypur, Old	...	168 650	0.5 W.	91 500	154 240	93 481	...			Debased.
"	...	166 530	13.5 "	86 000	143 280	86 838	...			Coinage reformed, 1824.
"	A. H. 1240	166 530	28.5 "	79 800	132 870	80 530	...			
" New	...	165 937	17.0 "	84 583	140 356	85 062	...			
Nilkunki	...	169 627	90.5 "	54 000	91 598	55 514	Southern Marátha Country			
Panali, Old	A. H. 1174	170 800	68.0 "	63 400	108 160	65 552	Deccan ...			Coined at Panali by the Raja of Kolhápúr.
Parkani Nepari	A. D. 1803	173 000	38.5 "	75 700	130 960	79 384	Southern Konkan			Coined by Sidhoji Naik.
" Temhho	...	172 760	28.5 "	79 700	137 760	83 491	Southern Marátha Country.			
"	A. D. 1633	174 000	4.5 "	89 700	156 160	94 646	Do.			Coined by the Rhoela family.
" Mudhol	"	173 000	82.0 "	57 500	99 470	60 284	...			Coined by Malaji Rao race.
" New	...	177 900	7.0 "	88 700	157 860	95 684	Savantvadi.			
Shahapuri ...	...	174 000	10.0 "	87 400	151 980	92 118	Belgaum and Ajmir.			

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To be added to Circular No. 37, para 2, pasted at page 23 of the High Court Civil Circulars.

Designations of the Judges of the District Civil Courts in His Highness the Nizam's dominions to whom commissions issued by Courts in British India should be addressed.

In the City of Hyderabad.

Nazim Adalat Devani Balda, Hyderabad.

In the Hyderabad District.

Nazim Adalat Zillah Atrafi Balda.

In all Districts in the Warangal Division.

Nazim Adalat.

—— Zillah.

Warangal Division.

In Districts in all other Divisions.

Nazim Adalat Devani.

———— Zillah.

———— Division.

**LIST OF VILLAGES IN HIS HIGHNESS' DOMINIONS WITH
POPULATION OF 1,000 INHABITANTS.**

AURANGABAD DISTRICT.

Taluk.		Villages.	Taluk.		Villages.
1	AMBAR	... Adwal Buzarg.	41	BHOKARDAN..	Adhana.
2	"	... Antarvali Hamti.	42	"	... Bahhari, Jagir.
3	"	... Brahmangaon,	43	"	... Dabhari.
		Jagir.	44	"	... Kangaon.
4	"	... Chanchakra.	45	"	... Lavigaon.
5	"	... Dahipuri.	46	"	... Longaon, Jagir.
6	"	... Ektun.	47	"	... Pardha.
7	"	... Garopipari.	48	"	... Petta-Hasnabad.
8	"	... Ghansavangi.	49	"	... Svangi.
9	"	... Gondi, Jagir.	50	"	... Warhod.
10	"	... Jam, Jagir.	51	"	... Warhod, Jagir.
11	"	... Khotgarai-hadgaon			
12	"	... Machandarchin-	52	GANGAPUR,	Anilorad, Jagir.
		choli.	53	(late Ganda-	Bodhanura.
				pur)	
13	"	... Mangrol, Jagir.		"	... Kaligaon.
14	"	... Naogaon, Jagir.	54	"	... Nivargaon.
15	"	... Pamparkhad.	55	"	... Ranjasgaon.
16	"	... Patharwalah.	56	"	... Tarkabad.
17	"	... Rahragad.	57	"	... Waloh.
18	"	... Raji-takli, Jagir.	58	"	
19	"	... Raniuchigaon.			
20	"	... Shahgad, Jagir.	59	JALNAPUR...	Badnapur.
21	"	... Tarhadgaon.	60	"	... Bhanipuri.
22	"	... Tirathipuri.	61	"	... Golatgaon.
23	"	... Yachur Buzarg.	62	"	... Karla.
			63	"	... Mojeori.
24	AURANGABAD	Bamrah, Jagir.	64	"	... Naligaon.
25	"	... Chakalthana.	65	"	... Nir, Jagir.
26	"	... Daolatabad.	66	"	... Pachanwargaon.
27	"	... Ellora.	67	"	... Pirkalyan.
28	"	... Ganori.	68	"	... Revgaon.
29	"	... Harsul.	69	"	... Saligaon.
30	"	... Jaisingpura, Jagir.	70	"	... Takli.
31	"	... Kadarabad, Jagir.	71	"	... Waghrala, Jagir.
32	"	... Khamgaon, Jagir.			
33	"	... Malivarah.	72	KANNAR	... Ampbhi.
34	"	... Namlapurgaon.	73	"	... Amthana.
35	"	... Nilur.	74	"	... Andhari, Jagir.
36	"	... Pal.	75	"	... Bandhonah, Jagir.
37	"	... Pipalgaon-tar.	76	"	... Bargaon.
38	"	... Pipri, Jagir.	77	"	... Chincholi.
39	"	... Warhud Buzarg.	78	"	... Ghatnandra, Jagir.
40	"	... Warigaon, Jagir.	79	"	... Karanjkheda, Jagir.

Taluk.			Villages.			Taluk.			Villages.		
80	KANNAR	...	Kirala.	93	SILLOR	...	Jalgaon.	93	SILLOR	...	Jalgaon.
81	"	...	Palsibangri, Jagir.	94	"	...	Mavni.	94	"	...	Mavni.
82	"	...	Shafipur.	95	"	...	Morhakhurd.	95	"	...	Morhakhurd.
83	"	...	Siindra, Jagir.	96	"	...	Pipalgaonanikai, Jagir.	96	"	...	Pipalgaonanikai, Jagir.
84	PATTAN	...	Apigaon.	97	"	...	Rahimabad, Jagir.	97	"	...	Rahimabad, Jagir.
85	"	...	Bhosa.	98	"	...	Sillor.	98	"	...	Sillor.
86	"	...	Dawarwari.	99	"	...	Wansawangi.	99	"	...	Wansawangi.
87	"	...	Lohgaon Buzarg.	100	VAIZAPUR	...	Borsar.	100	VAIZAPUR	...	Borsar.
88	"	...	Nandar.	101	late Baizapur	...	Dholgaon.	101	late Baizapur	...	Dholgaon.
89	"	...	Pilpalwari, Jagir.	102	"	...	Pangrah.	102	"	...	Pangrah.
90	"	...	Sandawara.	103	"	...	Patsar.	103	"	...	Patsar.
91	"	...	Sarakhra.	104	"	...	Pipalgaongari.	104	"	...	Pipalgaongari.
92	"	...	Wahigaon.	105	"	...	Wakla.	105	"	...	Wakla.

BIDAR DISTRICT.

1	AURAD	...	Narkal, Jagir.	26	CHITGOPA	...	Orbal, Jagir.	26	CHITGOPA	...	Orbal, Jagir.
2	BHALKI	...	Saigaon, Jagir.	27	"	...	Petta-Manhali, Jagir.	27	"	...	Petta-Manhali, Jagir.
3	"	...	Zergayal, Jagir.	28	"	...	Rigalgi, Jagir.	28	"	...	Rigalgi, Jagir.
4	BIDAR	...	Kardad, Jagir.	29	"	...	Sandangara, Jagir.	29	"	...	Sandangara, Jagir.
5	"	...	Khasanapur.	30	"	...	Sangolgi, Jagir.	30	"	...	Sangolgi, Jagir.
6	"	...	Ranjbal.	31	"	...	Talmari, Jagir.	31	"	...	Talmari, Jagir.
7	CHINCHOLL	...	Davargaon, Jagir.	32	EKHALI	...	Baror, Jagir.	32	EKHALI	...	Baror, Jagir.
8	"	...	Dhanura.	33	"	...	Jamka Bazarg, Jagir.	33	"	...	Jamka Bazarg, Jagir.
9	"	...	Kanji, Jagir.	34	"	...	Raiguda, Jagir.	34	"	...	Raiguda, Jagir.
10	"	...	Kibarjolgah, Jagir.	35	GHORWADI	...	Ghorwadi, Jagir.	35	GHORWADI	...	Ghorwadi, Jagir.
11	"	...	Lakhangaon, Jagir.	36	"	...	Gorta, Jagir.	36	"	...	Gorta, Jagir.
12	"	...	Tanbola, Jagir.	37	"	...	Haparga, Jagir.	37	"	...	Haparga, Jagir.
13	CHITGOPA	...	Atgah, Jagir.	38	"	...	Hoviskara, Jagir.	38	"	...	Hoviskara, Jagir.
14	"	...	Aurad, Jagir.	39	"	...	Jankapur, Jagir.	39	"	...	Jankapur, Jagir.
15	"	...	Chaigarah, Jagir.	40	"	...	Konsalikunda, Jagir.	40	"	...	Konsalikunda, Jagir.
16	"	...	Dhomisur, Jagir.	41	"	...	Madkanti, Jagir.	41	"	...	Madkanti, Jagir.
17	"	...	Kankata, Jagir.	42	"	...	Sadisar, Jagir.	42	"	...	Sadisar, Jagir.
18	"	...	Mahli, Jagir.	43	"	...	Waromikalan, Jagir.	43	"	...	Waromikalan, Jagir.
19	"	...	Mainkara, Jagir.	44	HASANABAD	...	Bhanganal, Jagir.	44	HASANABAD	...	Bhanganal, Jagir.
20	"	...	Majdari, Jagir.	45	JUKALPATTI	...	Langti.	45	JUKALPATTI	...	Langti.
21	"	...	Mane-ekhli, Jagir.	46	KALIANI	...	Algur, Jagir.	46	KALIANI	...	Algur, Jagir.
22	"	...	Mangalgi, Jagir.								
23	"	...	Markanda, Jagir.								
24	"	...	Mavgi, Jagir.								
25	"	...	Mirsi, Jagir.								

Taluk.		Villages.	Taluk.		Villages.
47	KALIANI	... Katta, Jagir.	88	PARTABPUR...	Partabpur, Jagir.
48	"	... Korhali, Jagir.	89	"	... Rajola, Jagir.
49	"	... Malegaon, Jagir.	90	"	... Ujlam, Jagir.
50	KARAMUNGI.	Aliambar, Jagir.	91	RAJURA	... Ajansonda.
51	"	... Babli, Jagir.	92	"	... Ashta.
52	"	... Balur, Jagir.	93	"	... Azna, Makta.
53	"	... Chalargi, Jagir.	94	"	... Chakhli.
54	"	... Gadgi, Jagir.	95	"	... Chanopi.
55	"	... Karamungi, Jagir.	96	"	... Dhanoralka, Makta.
56	"	... Satvar, Jagir.	97	"	... Dongarakh, Makta.
57	"	... Wargaon, Jagir.	98	"	... Garsur.
58	KOHIB	... Algol.	99	"	... Gharni.
59	(late Algol).	Ballpur.	100	"	... Ghonsi.
60	"	... Dagval.	101	"	... Hakarg.
61	"	... Dhinaseri.	102	"	... Handargoli.
62	"	... Ganirpalli.	103	"	... Haparga-Buzarg.
63	"	... Garajwara.	104	"	... Hir.
64	"	... Koili.	105	"	... Janwal.
65	"	... Pacharbakar, Jagir.	106	"	... Kamta-Buzarg,
66	"	... Pettagamal, Jagir.	107	"	... Makta.
67	"	... Sangtam.	108	"	... Kastgaon.
68	MURAG	.. Murag.	109	"	... Kamtakhurd, Jagir.
69	"	... Sonwar.	110	"	... Mahalangi.
70	NARAYEN-	Kalhar, Jagir.	111	"	... Saligaon.
71	KHERA.		112	"	... Sarvartachand.
72	NILANGA	... Bori, Jagir.	113	"	... Sawargaon.
73	"	... Chincholi Khan.	114	"	... Siwankhar.
74	"	... Halgara.	115	UDGIR	... Sogaon, Jagir.
75	"	... Togaon, Jagir.	116	"	... Bapalkahni.
76	"	... Kilgaon.	117	"	... Biribuzarg, Jagir.
77	"	... Machallam.	118	"	... Borol.
78	"	... Madansuri.	119	"	... Devarjan, Jagir.
79	"	... Sadun.	120	"	... Dongopur.
80	PARTABPUR...	Baror, Makta.	121	"	... Donpatharga.
81	"	... Garonti, Jagir.	122	"	... Hangaon.
82	"	... Ghotala, Jagir.	123	"	... Hargopur.
83	"	... Gondgaon, Jagir.	124	"	... Hokarna.
84	"	... Jajamogli, Jagir.	125	"	... Holsamandar.
85	"	... Kasarbalkunda,	126	"	... Jolgha.
86	"	... Jagir.	127	"	... Kasnur.
87	"	... Laronti, Jagir.	128	"	... Lohar.
		... Markhal, Jagir.	129	"	... Loni.
			130	"	... Madhol-Buzarg
			131	"	... Marki.
				"	... Rahtoda.

Taluk.			Villages.		
132	UDGIR	...	Sakhol.	136	UDGIR ... Uchlam.
133	"	...	Sivti, Jagir.	137	" ... Wajhar.
134	"	...	Tondhar.		
135	"	...	Torna, Jagir.	138	WALANDI ... Walandi.

BIR DISTRICT.

1	AMBAJOGAI...	Bansarola.	32	BIR	... Wahiphalwar.
2	Mominabad.	Birgaon.	33	"	... Washked.
3	"	... Hol.			
4	"	... Jalgaon.	34	GEWRAI	... Jatigaon.
5	"	... Kamkhed.	35	"	... Khaligaon, Jagir.
6	"	... Mahapur.	36	"	... Kolgaon.
7	"	... Phurgaon.	37	"	... Lingaon.
8	"	... Pospalampet,	38	"	... Mahatadi.
		Makta.	39	"	... Ninatarwati.
9	"	... Radi.	40	"	... Pargaonghogas.
			41	"	... Pipal, Jagir.
10	ASHTI	... Ashta.	42	"	... Rajpipri, Jagir.
11	"	... Deolali.	43	"	... Rakhshanpalli,
12	"	... Lonisayedmir,			Jagir.
		Jagir.	44	"	... Ranjni.
13	"	... Pargaonjogsir.	45	"	... Rawi, Jagir.
14	"	... Pipa Syed Husain,	46	"	... Sarsandevi.
		Jagir.			
15	"	... Sarala.	47	KEJ	... Armas.
16	"	... Wadigaon.	48	"	... Asampnargaon.
17	"	... Wahamangaon.	49	"	... Bhogalwadi.
18	"	... Wargaondoka.	50	"	... Borgaon.
			51	"	... Chincholi.
19	BIR	... Barhampalam,	52	"	... Jolban.
		Jagir.	53	"	... Lahori, Jagir.
20	"	... Borkhed.	54	"	... Mahukhed.
21	"	... Chatnandur, Jagir.	55	"	... Managwargaon.
22	"	... Chosala.	56	"	... Saligaon.
23	"	... Deola.	57	"	... Sinbadi.
24	"	... Hivarsanga, Jagir.	58	"	... Sarwar.
25	"	... Loni, Jagir.	59	"	... Tambuh.
26	"	... Malurgaon.	60	"	... Yeota.
27	"	... Mamuli.			
28	"	... Nalondi, Jagir.	61	PATODA	... Katan.
29	"	... Ninagansh, Makta.	62	"	... Khaksuri.
30	"	... Pali.	63	"	... Manur.
31	"	... Patoda.	64	"	... Marola.

Taluk.			Villages.			Taluk.			Villages.		
65	PATODA	...	Padli.			78	PATRUR		Hangni Khurd.		
66	"	...	Pargaon, Kabhumra				(Manjalgaon)				
67	"	...	Parnir.		79	"	...	Kari.			
68	"	...	Rajuri.		80	"	...	Kunbaingao.			
69	"	...	Shakshalipri.		81	"	...	Manglur, Jagir.			
70	"	...	Sotara.		82	"	...	Manmarth.			
					83	"	...	Mograh.			
71	PATRUR		Amribuzarg.		84	"	...	Moha, Jagir.			
	(Manjalgaon)				85	"	...	Parshotampuri,			
72	"	...	Anandgaon.					Jagir.			
73	"	...	Balumadigaon,		86	"	...	Rajigaon.			
			Jagir.		87	"	...	Rampuri.			
74	"	...	Bol.		88	"	...	Sadola, Jagir.			
75	"	...	Chanchala.		89	"	...	Sarsala, Jagir.			
76	"	...	Chanchwan.		90	"	...	Sawargaon, Jagir.			
77	"	...	Gorgaon.		91	"	...	Wangi Buzarg,			
								Jagir.			

ELGANDAL DISTRICT.

1	CHINNUR	...	Andwaram.		27	JAGTIYAL	...	Kalirah.			
2	"	...	Begampet, Jagir.		28	"	...	Katlakunta, Jagir.			
3	"	...	Dognipalli.		29	"	...	Lachmipur.			
4	"	...	Jolapalli, Jagir.		30	"	...	Lingapur.			
5	"	...	Kalwacheru, Jagir.		31	"	...	Lokapalli.			
6	"	...	Kandwaram.		32	"	...	Maniguda.			
7	"	...	Pakur.		33	"	...	Matpallikhurd.			
8	"	...	Somanpalli.		34	"	...	Mohonraopet.			
					35	"	...	Najpalli.			
9	JAGTIYAL	...	Arnakunda.		36	"	...	Namlikunda.			
10	"	...	Atamkur, Jagir.		37	"	...	Palapur.			
11	"	...	Atkyal Makta.		38	"	...	Pandyal.			
12	"	...	Bagrapalli.		39	"	...	Pasaipalli.			
13	"	...	Bhimwaram, Makta		40	"	...	Patkipalli.			
14	"	...	Bosraopet.		41	"	...	Pirmarg.			
15	"	...	Chapal.		42	"	...	Polas, Jagir.			
16	"	...	Chitapur.		43	"	...	Porandla.			
17	"	...	Choganpalli.		44	"	...	Pormala.			
18	"	...	Dorangi.		45	"	...	Potaram.			
19	"	...	Galapalli.		46	"	...	Pudur.			
20	"	...	Gambarpur.		47	"	...	Sacharla.			
21	"	...	Ganchibargi.		48	"	...	Sambhampalli.			
22	"	...	Gavilapur.		49	"	...	Sarkunda.			
23	"	...	Govindram.		50	"	...	Sarpalli.			
24	"	...	Galagutta, Makta.		51	"	...	Takaripalli.			
25	"	...	Jalgal, Makta.		52	"	...	Tamapur.			
26	"	...	Jabna, Jagir.		53	"	...	Tarmalapur.			

Taluk.		Villages.	Taluk.		Villages.
54	JAGTIYAL ...	Wabampet, Jagir.	101	JAMIKUNTA...	Wankatarti.
55	" ...	Walampalli.	102	" ...	Wangrahi.
56	" ...	Walgomatla.	103	" ...	Warikol.
57	" ...	Warsakondah.			
58	" ...	Welkondah.	104	KARIMNAGAR.	Abalpak.
59	" ...	Wimalkarti.	105	" ...	Anaram.
60	" ...	Yagaram.	106	" ...	Androti.
61	" ...	Zabtapur.	107	" ...	Bachnur.
			108	" ...	Baswapur.
62	JAMIKUNTA...	Aknur.	109	" ...	Bomkal.
63	" ...	Aknipalli.	110	" ...	Chalur.
64	" ...	Antakapet.	111	" ...	Chancharla.
65	" ...	Asipet.	112	" ...	Charlabhutkur,
66	" ...	Bajgar.			Jagir.
67	" ...	Balangur.	113	" ...	Chatyalapalli.
68	" ...	Banipalli.	114	" ...	Dedarghatta.
69	" ...	Bojnur.	115	" ...	Dotipalli.
70	" ...	Chanakonda, Makta	116	" ...	Gamlapur, Jagir.
71	" ...	Chatal.	117	" ...	Gangipalli, Jagir.
72	" ...	Cherlapalli.	118	" ...	Garsagarti, Jagir.
73	" ...	Elantakunta.	119	" ...	Ghatipalli, Jagir.
74	" ...	Garmalapalli.	120	" ...	Ghatnikur, Jagir.
75	" ...	Garsayal.	121	" ...	Gondahwaram.
76	" ...	Ghanmakal.	122	" ...	Hasanabad, Jagir.
77	" ...	Jogal.	123	" ...	Jagarmari, Jagir.
78	" ...	Kanapur.	124	" ...	Kainipalli.
79	" ...	Kangarti.	125	" ...	Kalipalli.
80	" ...	Kondapak.	126	" ...	Kangalkundapur,
81	" ...	Korapalli.			Jagir.
82	" ...	Kotapalli.	127	" ...	Kesupatan.
83	" ...	Malaknur.	128	" ...	Korkal.
84	" ...	Malyal.	129	" ...	Makhdumpur, Jagir
85	" ...	Maripalligorayam.	130	" ...	Mamarbalapalli.
86	" ...	Marpalli.	131	" ...	Naklapalli.
87	" ...	Matpalli.	132	" ...	Parlapalli.
88	" ...	Nangal.	133	" ...	Polampalli, Jagir.
89	" ...	Pirsarla.	134	" ...	Potlapalli, Jagir.
90	" ...	Potaredipet.	135	" ...	Ramargu.
91	" ...	Potredipalli.	136	" ...	Samdral, Jagir.
92	" ...	Rajapalli.	137	" ...	Sangam,
93	" ...	Rangapur.	138	" ...	Sangram.
94	" ...	Sarsir.	139	" ...	Tangarlapalli.
95	" ...	Sominpalli.	140	" ...	Upermalyal.
96	" ...	Tekmatla.	141	" ...	Utur.
97	" ...	Upla.			
98	" ...	Wailal.	142	LAKSATIPETT.	Atkyl.
99	" ...	Wamrahi.	143	" ...	Basipalli.
100	" ...	Wanampalli.	144	" ...	Doripalli.

Taluk.	Villages.	Taluk.	Villages.
145	LAKSATIPETT. Donabanda.	190	SIDDIPETT ... Varancha.
146	" ... Golakota.	191	" ... Wampalpalli.
147	" ... Goryam.	192	" ... Welur.
148	" ... Mancharyal.	193	" ... Yararam.
149	" ... Pasnur.		
150	" ... Rahanpalli, Jagir.	194	SIRSILLA ... Asafnagar.
		195	" ... Banda-Lingsampall.
151	MAHADEOPUR. Aranda.	196	" ... Bandangal, Makta.
152	" ... Ganjabargi, Jagir.	197	" ... Bopapur, Makta.
153	" ... Kalisar.	198	" ... Chandwarti.
154	" ... Soraram.	199	" ... Charlawancha.
155	" ... Wamarkunta.	200	" ... Gandikatkur.
156	" ... Welasagar.	201	" ... Ganirwaram.
		202	" ... Golalpalli, Makta.
157	SIDDIPETT ... Alipur.	203	" ... Goram.
158	" ... Alwal.	204	" ... Kadarpak.
159	" ... Amdipur.	205	" ... Kalipalli.
160	" ... Bachgaon.	206	" ... Kandapur.
161	" ... Chandulapur.	207	" ... Konaraopet.
162	" ... Chapida, Jagir.	208	" ... Linganaopet, Makta.
163	" ... Chikur.	209	" ... Malaredipet, Makta.
164	" ... Chirasagar, Jagir.	210	" ... Malyal.
165	" ... Dharmajipet.	211	" ... Manabad.
166	" ... Domata.	212	" ... Maripalli.
167	" ... Enkatraopet.	213	" ... Marpak.
168	" ... Gandoli Kalan.	214	" ... Moripalli.
169	" ... Gargandla.	215	" ... Nanapur.
170	" ... Ghanpur, Jagir.	216	" ... Narsingapur.
171	" ... Inanpalli.	217	" ... Natgalapalli.
172	" ... Jagdipur, Jagir.	218	" ... Nizamabad.
173	" ... Jaligam.	219	" ... Potgal.
174	" ... Karorkhurd.	220	" ... Putur.
175	" ... Kishnapur, Jagir.	221	" ... Ripak.
176	" ... Lachmapet, Jagir.	222	" ... Samampalli.
177	" ... Malgu.	223	" ... Sbatrajapalli.
178	" ... Mardodi.	224	" ... Tarla.
179	" ... Marpargi.	225	" ... Tarur.
180	" ... Mangrapa, Jagir.	226	" ... Unur.
181	" ... Metpalli, Jagir.	227	" ... Walampatla.
182	" ... Nagal, Jagir.	228	" ... Wantarabla.
183	" ... Namtur, Jagir.		
184	" ... Naramta, Jagir.	229	SULTANABAD. Bandapalli.
185	" ... Palur, Jagir.	230	" ... Batalakonda, Jagir.
186	" ... Parganapur, Jagir.	231	" ... Bomnipalli.
187	" ... Raipole, Jagir.	232	" ... Dhavikunta.
188	" ... Roraram, Jagir.	233	" ... Elgad, Jagir.
189	" ... Sarsanakandla,	234	" ... Gangwaram.
	Jagir.	235	" ... Gavilwar.

Taluk.		Villages.	Taluk.		Villages.
236	SULTANABAD.	Ilagtur.	250	SULTANABAD.	Peddankur, Jagir.
237	"	... Jangaon.	251	"	... Pedda-Kalula, Jagir
238	"	... Kankla, Jagir.	252	"	... Posal.
239	"	... Kodarbak.	253	"	... Potal.
240	"	... Konawaram.	254	"	... Raghwapur, Jagir.
241	"	... Kondapur.	255	"	... Ramgundam.
242	"	... Kotapalli.	256	"	... Regredikunta,
243	"	... Kutapet.			Jagir.
244	"	... Malaigoram, Jagir.	257	"	... Srirampur.
245	"	... Maolasarsalla.	258	"	... Sultanabad.
246	"	... Marmur.	259	"	... Sultanpur, Jagir.
247	"	... Mararkonda.	260	"	... Tarpalli, Jagir.
248	"	... Mitarpalli.	261	"	... Wanparti.
249	"	... Natur, Jagir.	262	"	... Watampalli.

GULBARGAH DISTRICT.

1	AFZALPUR	... GaburBuzarg, Jagir	27	CHINCHOLI	... Chamanjahar, Jagir
2	"	... Karanjgi, Jagir.	28	"	... Changata, Jagir.
3	"	... Rathalsarur, Jagir.	29	"	... Enoli.
4	"	... Tarkal, Jagir.	30	"	... Keswar.
5	ALAND	... Golga, Jagir.	31	"	... Korli.
6	"	... Khajuri, Jagir.	32	"	... Wigalmamri.
7	"	... Khodpur, Jagir.	33	CHITTAPUR	... Alhali, Jagir.
8	"	... Matki, Jagir.	34	"	... Kolkunda, Jagir.
9	"	... Parsadli, Jagir.	35	FEROZEABAD	... Ferozeabad, Jagir.
10	"	... Sarsana, Jagir.	36	"	... Kandkargi, Jagir.
11	"	... Targori, Jagir.	37	"	... Kudur, Jagir.
12	ANDOLA	... Anjabri.	38	"	... Nagura, Jagir.
13	"	... Aralgandgi.	39	"	... Saradgi, Jagir.
14	"	... Badrawin.	40	"	... Tengli, Jagir.
15	"	... Harwal.	41	"	... Thannali, Jagir.
16	"	... Jabratgi.	42	"	... Yarwal, Jagir.
17	"	... Jiwargi Buzarg.	43	GULBARGAH	... Bahramwadi, Jagir
18	"	... Kakrakal.	44	"	... Bankur.
19	"	... Kulkur.	45	"	... Bhostur.
20	"	... Mali.	46	"	... Dhotargaon.
21	"	... Medniwali.	47	"	... Gargangi.
22	"	... Nilogi.	48	"	... Golakhurd.
23	"	... Wargirah.	49	"	... Kola Buzarg, Jagir
24	"	... Yazbobi.	50	"	... Maryal.
25	CHINCHOLI	... Ainapur, Jagir.	51	"	... Nambargah.
26	"	... Chamarmalayan.	52	"	... Nilur.

Taluk.		Villages.	Taluk.		Villages.
53	GULABGAH..	Parotabad.	73	MAHAGAON ...	Bodan.
54	"	... Patan.	74	"	... Chandalkher, Jagir.
55	"	... Sawalgi Buzarg.	75	"	... Dongargaon.
56	"	... Sotnur.	76	"	... Hayal.
57	"	... Tharapur.	77	"	... Inalgah, Jagir.
58	"	... Urchal.	78	"	... Jiwangi, Jagir.
59	"	... Yalsatgi.	79	"	... Larmagri.
60	"	... Yanamtal.	80	"	... Makarma.
			81	"	... Salgar.
61	GURMATKAL..	Atkal.	82	"	... Sunt, Jagir.
62	"	... Kankurti.			
63	"	... Madhur.	83	PEDWIMAL ...	Pedwimal, Jagir.
			84	"	... Manapurklan, Jagir.
64	KORANGAL...	Bandala Kacharla, Jagir.	85	SERAM	... Arki, Jagir.
65	"	... Dudyal, Jagir.	86	"	... Ekmati.
66	"	... Duma, Jagir.	87	"	... Handargi.
67	"	... Hasanabad.	88	"	... Karankot, Makta.
68	"	... Kadrimala, Jagir.	89	"	... Salkatta, Jagir.
69	"	... Mutkur.	90	"	... Silwar, Azampet.
70	"	... Raichur.			
71	"	... Rodarwaram, Jagir.	91	TANDUR	... Jhatpalli, Jagir.
72	"	... Sarzapet.	92	"	... Sartamari, Jagir.

HYDERABAD DISTRICT.

1	ALIABAD ...	Aliabad.	18	EASTERN	
2	"	... Shahmirpet.		TAHSIL	... Limur.
3	CHATGAD ...	Alampalli, Jagir.	19	"	... Milwaram.
4	"	... Chatgad, Jagir.	20	"	... Madargal.
5	"	... Yallaganda, Jagir.	21	"	... Naliki.
			22	"	... Nampalli.
6	EASTERN		23	"	... Palvimal.
	TAHSIL	... Andurti.	24	"	... Pedatur.
7	"	... Arotla, Jagir.	25	"	... Peddapur.
8	"	... Ambarpet.	26	"	... Pochampalli, Jagir.
9	"	... Balapur, Jagir.	27	"	... Rawaryal.
10	"	... Bibinagar.	28	"	... Saidabad.
11	"	... Bipalli.	29	"	... Sarurnagar.
12	"	... Boipalli.	30	"	... Tarkayamjal.
13	"	... Chikatmamri.	31	"	... Yalwarti.
14	"	... Chintapotla.			
15	"	... Ghatapal, Jagir.	32	FARIDABAD...	Faridabad, Jagir.
16	"	... Ghatkesra.			
17	"	... Karkal.	33	NORTHERN	
				TAHSIL	... Alwal, Jagir.

Taluk.			Taluk.		
Villages.			Villages.		
34	NORTHERN		61	SOUTHERN	
	TAHSIL	.. Bhorampet.		TAHSIL	... Chalkur, Jagir.
35	"	... Chibarti, Jagir.	62	"	... Chalver.
36	"	... Dabirpura, Jagir.	63	"	... Chanchalampet, Jagir.
37	"	... Dundgal, Jagir.	64	"	... Idganpalli.
38	"	... Gomwaram, Jagir.	65	"	... Janwara.
39	"	... Hayatnagar, Jagir.	66	"	... Kandkur.
40	"	... Kaltur, Jagir.	67	"	... Kandwara, Jagir.
41	"	... Kankata.	68	"	... Katakamra, Jagir.
42	"	... Lalaguda, Jagir.	69	"	... Kutapet.
43	"	... Magrola.	70	"	... Mahisram.
44	"	... Malakpet.	71	"	... Mamarpalli, Jagir.
45	"	... Nagwaram, Jagir.	72	"	... Mangalwaram.
46	"	... Rampalli.	73	"	... Savaredipet.
47	"	... Ramsagar, Jagir.			
48	"	... Rawalkol, Jagir.	74	WESTERN	
49	"	... Tirmalgherry.		TAHSIL	... Asafnagar.
50	"	... Yamjal.	75	"	... Aminpur.
51	"	... Yaprak, Jagir.	76	"	... Atapur.
52	PATLUR	... Kalkhora.	77	"	... Badul.
53	"	... Marpalli.	78	"	... Chadrupa.
54	"	... Patlur.	79	"	... Chantalcharu.
55	"	... Phulmamri.	80	"	... Ganglur.
56	"	... Sirpura.	81	"	... Garpak.
57	"	... Targopal.	82	"	... Langarhaz.
58	"	... Yakmamri.	83	"	... Malkapur.
59	SARF-I-KHAS.	Kotwalguda, Jagir.	84	"	... Manmul.
60	"	... Upal, Jagir.	85	"	... Narsingi.
			86	"	... Regwar.

INDUR DISTRICT.

1	ARMUR	... Alur, Makta.	13	BASWADA	... Bozlam.
2	"	... Jakranpalli.	14	"	... Chalargi, Jagir.
3	"	... Kishnapur.	15	"	... Gandupat, Makta.
4	"	... Macharla.	16	"	... Gorappal, Jagir.
5	"	... Mandhura, Makta.	17	"	... Gorwaram.
6	"	... Manpalli.	18	"	... Harmajipet.
7	"	... Pargal.	19	"	... Hasgal, Jagir.
8	"	... Papari.	20	"	... Ibrahimpet.
9	"	... Ranjarla.	21	"	... Koals, Jagir.
10	"	... Shahpur, Jagir.	22	"	... Kunapur, Makta.
11	"	... Umra.	23	"	... Mallur.
12	"	... Vinal-Khudawandpur, Jagir.	24	"	... Palgal, Jagir.
			25	"	... Ranjarla, Jagir.

Taluk.	Villages.	Taluk.	Villages.
26	BASWADA ...	70	INDUR ...
27	" ...	71	" ...
28	" ...	72	" ...
29	" ...	73	KAMAREDIPET
30	BEMGALPATTI. Bashirabad.	(late Adlur). Baswapur, Makta.	
31	" ...	74	" ...
32	" ...	75	" ...
33	" ...	76	" ...
34	" ...	77	" ...
35	" ...	78	" ...
36	" ...	79	" ...
37	" ...	80	" ...
38	" ...	81	" ...
39	" ...	82	" ...
40	" ...	83	" ...
41	" ...	84	" ...
42	" ...	85	KODGIR ...
43	" ...	86	MUDHOL ...
44	" ...	87	" ...
45	BODEN ...	88	" ...
46	" ...	89	" ...
47	" ...	90	" ...
48	" ...	91	" ...
49	" ...	92	" ...
50	" ...	93	" ...
51	" ...	94	NIRMAL ...
52	" ...	95	" ...
53	" ...	96	" ...
54	" ...	97	" ...
55	INDUR ...	98	" ...
56	" ...	99	" ...
57	" ...	100	OLA ...
58	" ...	101	" ...
59	" ...	102	" ...
60	" ...	103	" ...
61	" ...	104	" ...
62	" ...	105	" ...
63	" ...	106	" ...
64	" ...	107	" ...
65	" ...	108	" ...
66	" ...	109	" ...
67	" ...	110	YALGARAP ...
68	" ...		Khanapur, Jagir.
69	" ...		

Taluk.		Villages.	Taluk.		Villages.
111	YELLAREDIPET	Balwaram.	113	YELLAREDIPET	Nandurkuchnapet.
112	"	Kalyanipet, Jagir.			

LINGSUGUR DISTRICT.

1	GANGAWATI..	Anagundi.	37	SHAHPUR	Maryal.
2	"	... Badgapi.	38	"	... Rastapur.
3	"	... Jangal.	39	"	... Tamkur, Jagir.
4	"	... Noli.	40	"	... Tarbari.
5	"	... Sadapur.	41	"	... Wandarg.
6	"	... Yarodni.	42	SHORAPUR...	Amapur.
7	KOPPAL	... Basarharli, Jagir.	43	"	... Arkira, Jagir.
8	"	... Alkalgara, Jagir.	44	"	... Behyal.
9	"	... Hargi, Jagir.	45	"	... Devigiri.
10	"	... Harimandogi, Jagir	46	"	... Diaopur, Jagir.
11	"	... Hatanhal, Jagir.	47	"	... Evar, Jagir.
12	"	... Madinur, Jagir.	48	"	... Hansagi.
13	"	... Patsagra, Jagir.	49	"	... Hasnapur.
14	KUSHTAGI	... Chalgiri, Makta.	50	"	... Kanhali.
15	"	... Harinanapur, Jagir	51	"	... Korikal.
16	"	... Holgari.	52	"	... Lachmapur.
17	"	... Mayanandhal, Makta.	53	"	... Madnur.
18	"	... Nalugal.	54	"	... Manglur.
19	"	... Sidakhnal, Makta.	55	"	... Rakampur.
20	LINGSUGUR...	Anamhur, Jagir.	56	SINDNUR	... Jaliharli.
21	"	... Anuri.	57	"	... Gurdaya.
22	"	... Kalur.	58	"	... Karagati.
23	"	... Karkal.	59	"	... Makhandi.
24	"	... Sarajapur.	60	"	... Rurkunda.
25	SHAHPUR	... Bandibari.	61	"	... Salgandi, Jagir.
26	"	... Birhar.	62	YELBARGAH..	Amgi, Jagir.
27	"	... Chatanhal.	63	"	... Angi, Jagir.
28	"	... Ekur, Jagir.	64	"	... Hanikap, Jagir.
29	"	... Ghanwar.	65	"	... Haribanchanhal. Jagir.
30	"	... Gogikohna.	66	"	... Harimayagari, Jagir
31	"	... Hamnur.	67	"	... Kandkur, Jagir.
32	"	... Hayal,	68	"	... Karmari, Makta.
33	"	... Karamkira.	69	"	... Kudarmati, Jagir.
34	"	... Karkaudi, Jagir.	70	"	... Mandalgara, Jagir.
35	"	... Katipant.	71	"	... Mikal, Makta.
36	"	... Madargi.	72	"	... Pivar, Jagir.
			73	"	... Sanganhal, Jagir,

Taluk.		Villages.	Taluk.		Villages.
74	VELBARGAH.	Tondihal, Makta.	75	YELBARGAH.	Wangadimagar, Makta.

MAHBUBNAGAR DISTRICT.

1	GOPALPET, <i>Samasthan.</i>	Didla, Jagir.	34	KALWAKURTI.	Amardin, Jagir.
2	"	... Gopalpet, Jagir.	35	"	... Amangal.
3	"	... Ribli, Jagir.	36	"	... Charkunda.
4	"	... Tomkunta, Jagir.	37	"	... Kalkalpalli.
5	IBRAHIM- PATAN	... Jangaon.	38	"	... Ramapur, Jagir.
6	"	... Kohira, Jagir.	39	"	... Tardupalli, Jagir.
7	"	... Malkapur.	40	"	... Urpalli.
8	"	... Manchal.	41	"	... Waljal.
9	"	... Rachlur.	42	"	... Weldanda.
10	"	... Tangarlapalli.	43	KOILKUNDA.	Bancharla, Makta.
11	"	... Tul, Jagir.	44	"	... Gandmal.
12	"	... Yalamnir, Jagir.	45	"	... Gandyal.
13	"	... Wanparti, Jagir.	46	"	... Hanvara.
14	JANGOMAL	... Jangomal, Jagir.	47	"	... Kalkacharla.
15	"	... Manchanpalli, Jagir.	48	"	... Kotkunda.
16	"	... Narlapalli, Jagir.	49	"	... Kundapur.
17	"	... Raipul, Jagir.	50	"	... Markal.
18	JATPOLE, <i>Samasthan.</i>	Bikam, Jagir.	51	"	... Tankra.
19	"	... Kolapur, Jagir.	52	MAHBUB- NAGAR	... Dewarkudra.
20	JIRCHARLA	... Aptur.	53	"	... Ghanpura.
21	"	... Borgal, Jagir.	54	"	... Jangalmadi.
22	"	... Chanchar, Makta.	55	"	... Kandur.
23	"	... Gangapur, Jagir.	56	"	... Madigatla.
24	"	... Indnur.	57	"	... Manajipet.
25	"	... Kandarg.	58	"	... Mandri.
26	"	... Karkunda.	59	"	... Pankal.
27	"	... Korgal.	60	"	... Pirur.
28	"	... Markal.	61	"	... Rachal.
29	"	... Matmari, Jagir.	62	"	... Tarikunda, Jagir.
30	"	... Nandgaon, Jagir.	63	MAKTAL	... Angura.
31	"	... Nasaralla-abad.	64	"	... Badihali.
32	"	... Polipalli, Jagir.	65	"	... Balcher.
33	"	... Tamajipet.	66	"	... Balgunda.
			67	"	... Dopalli.
			68	"	... Gadibalur.
			69	"	... Kadjalgir.
			70	"	... Kansu.

Taluk.			Villages.			Taluk.			Villages.		
71	MAKTAL	...	Kardingi.			98	NARAYANPET.	...	Lanlawai, Jagir.		
72	"	...	Karmur.			99	"	...	Nargarti, Jagir.		
73	"	...	Mantangur.			100	"	...	Parla, Jagir.		
74	"	...	Marmal.			101	"	...	Purla-Buzarg,		
75	"	...	Marwa.					...	Jagir.		
76	"	...	Nirarmagima.			102	"	...	Sangar, Jagir.		
77	"	...	Uldikur.								
78	"	...	Wadutmaktal.			103	PARGIPATTI...	...	Kankal, Jagir.		
79	"	...	Warkur.			104	"	...	Masrafa.		
80	NAGARKAR-	Aler.				105	AMRABAD	...	Achampet.		
	NUL.					106	"	...	Apunutla.		
81	"	...	Bajnipalli.			107	"	...	Kandanagul.		
82	"	...	Dangur.			108	"	...	Tarampalli.		
83	"	...	Darman.								
84	"	...	Karonga.			109	PATTI NAR-	...	Narkhora.		
85	"	...	Narkarti.				KHORA.				
86	"	...	Pongal.			110	SHAMSABAD.	...	Chagur, Jagir.		
87	"	...	Ragpatpet.								
88	"	...	Rangapur.			111	WANPARTI...	...	Apalpalli, Jagir.		
89	"	...	Kurir.			112	Samasthan	...	Apral, Jagir.		
90	"	...	Saripur.			113	"	...	Dukur, Jagir.		
						114	"	...	Ganmaran, Jagir.		
91	NARAYANPET.	...	Alkir, Jagir.			115	"	...	Gopanpalli, Jag.r.		
92	"	...	Anpur, Jagir.			116	"	...	Tamanpet, Jagir.		
93	"	...	Chanakar, Jagir.			117	"	...	Kokantla, Jagir.		
94	"	...	Jajapur, Jagir.			118	"	...	Rangapur, Jagir.		
95	"	...	Jaram Buzarg,			119	"	...	Sagur, Jagir.		
			Jagir.			120	"	...	Srirangapur, Jagir.		
96	"	...	Kalabalkunda.			121	"	...	Wancharla, Jagir.		
97	"	...	Kandkur, Jagir.			122	"	...	Wiltur, Jagir.		

MEDAK DISTRICT.

1	ANDOL	...	Junkur.			10	KALABGUR...	...	Atamkur.		
2	"	...	Kadradbad.			11	"	...	Batkalpalli.		
3	"	...	Karpul, Jagir.			12	"	...	Darga-Shariff.		
4	"	...	Kasal.			13	"	...	Janwaram, Jagir.		
5	"	...	Madmankam.			14	"	...	Kalabgur.		
6	"	...	Nigdala, Jagir.			15	"	...	Kandi.		
						16	"	...	Karkur.		
7	BAGAT	...	Batasangaram.			17	"	...	Kokatpalli.		
8	"	...	Boyanpalli.			18	"	...	Kondapur.		
						19	"	...	Kukur.		
9	HATNURA	...	Hatnura, Jagir.			20	"	...	Malapur.		
						21	"	...	Nandikan.		

Taluk.		Villages.	Taluk.		Villages.
22	KALABGUR...	Niktala.	39	NARSAPUR...	Yelmalakunta, Jagir.
23	"	... Nizampur.			Arganda.
24	"	... Sirirangaram, Jagir.	40	RAMAYENPET..	Chalmara, Jagir.
25	"	... Sivanagar.	41	"	... Chandaipet.
26	"	... Tokatapet, Jagir.	42	"	... Chandrampet.
			43	"	... Dharmaram.
27	MEDAK	... Chanaghanpet.	44	"	... Kalukunta, Jagir.
28	"	... Kalcharam.	45	"	... Makrajpet.
29	"	... Kochampalli, Jagir.	46	"	... Marur.
30	"	... Kuknur.	47	"	... Masaipet.
31	"	... Maltamda.	48	"	... Nizampet.
32	"	... Polkampet, Jagir.	49	"	... Patapur.
33	"	... Porchanpalli.	50	"	... Railapur.
34	"	... Rajpalli.	51	"	... Sawaram, Jagir.
35	"	... Rajpet.	52	"	... Shank rampet.
36	"	... Rangampet.	53	"	... Siwampet, Jagir.
37	"	... Sardina.	54	"	... Wadyaram.
			55	"	... Wanti.
38	NARSAPUR...	Sitarampur, Jagir.	56	"	

NALDURG DISTRICT.

1	AUSA	... Almila.	23	DHARASEON...	Alni, jagir.
2	"	... Babhalgaon.	24	"	Arni, jagir.
3	"	... Bhatangalli.	25	CHIKHLI	Chikhli, Jagir.
4	"	... Harangal, Jagir.	26	"	Chincholi, Jagir.
5	"	... Ikruka.	27	"	Dabiphal, Jagir.
6	"	... Kharosa.	28	"	Gur, Jagir.
7	"	... Kond, Jagir.	29	"	Kaski, jagir.
8	"	... Lamajna.	30	"	Kher, jagir.
9	"	... Marur.	31	"	Sanja, jagir.
10	"	... Matula.	32	"	Sarola Buzarg, jagir.
11	"	... Nagarsuga.	33	"	Tirsinga, jagir.
12	"	... Sirala.	34	"	Wargaon, jagir.
13	"	... Sivli.			
14	"	... Taka, Jagir.	35	GANJOTI	Amarga, jagir.
15	BEMLI	... Dharur, Jagir.	36	"	Bilsur, jagir.
16	"	... Karajkhira, Jagir.	37	"	Chakur, jagir.
17	"	... Kishigaon, Jagir.	38	"	Daggi, jagir.
18	"	... Palap, Jagir.	39	"	Karla, jagir.
19	"	... Roibhara, Jagir.	40	"	Maraj, jagir.
20	"	... Thanli, Jagir.	41	"	Mulaj, jagir.
21	BHUN	... Bhundotarfa, Jagir.	42	"	Petta Anandapur, jagir.
	"	... Chinchur, Jagir.	43	"	Talmur, jagir.

Taluk.			Villages.			Taluk.			Villages.		
44	GANJOTI	...	Tarur, Jagir.	85	PARENDA	...	Ashta, jagir.				
45	"	...	Wahila, Jagir.	86	"	...	Chinchur, jagir.				
46	"	...	Wargaon, Jagir.	87	"	...	Kandari, jagir.				
47	"	...	Yanigur, Jagir.	88	"	...	Kokargaon, jagir.				
48	KALAM	...	Andura, Jagir.	89	"	...	Ridhura, jagir.				
49	"	...	Boregaon Buzarg, Jagir.	90	"	...	Arbhatpatiri, jagir.				
50	"	...	Deodhanura, Jagir.	91	"	...	Sarsao, jagir.				
51	"	...	Gadhur, Jagir.	92	"	...	Shalabgaon, jagir.				
52	"	...	Jola, Jagir.	93	"	...	Shandri, jagir.				
53	"	...	Naigaon, Jagir.	94	"	...	Tandulwari, jagir.				
54	"	...	Padoll, Jagir.	95	"	...	Wakri, jagir.				
55	"	...	Sangrol, Jagir.	96	TULJAPUR	...	Darphal.				
56	LOHARA	...	Asiun, Jagir.	97	"	...	Deokarli.				
57	"	...	Balkonda, Jagir.	98	"	...	Digaon.				
58	"	...	Bhad, Jagir.	99	"	...	Hapargariva.				
59	"	...	Chincholibatsi, Jagir.	100	"	...	Kalman.				
60	"	...	Dhanuri, Jagir.	101	"	...	Kothani.				
61	"	...	Hasalganj, Jagir.	102	"	...	Mahalchodri.				
62	"	...	Hosgaon, Jagir.	103	"	...	Mahalakhurd.				
63	"	...	Jakhnarai, Jagir.	104	"	...	Makhai.				
64	"	...	Kangar, Jagir.	105	"	...	Mutgasi.				
65	"	...	Katigaon, Jagir.	106	"	...	Ranmahala.				
66	"	...	Kinihoteswari, Jagir.	107	"	...	Sangvi.				
67	"	...	Koth, Jagir.	108	"	...	Sendphal.				
68	"	...	Nand, Jagir.	109	"	...	Waluj.				
69	"	...	Nivli, Jagir.	110	"	...	Wargaon.				
70	"	...	Paroli, Jagir.	111	"	...	Yarwal.				
71	"	...	Sangoipet, jagir.	112	VATUR	...	Jaina, jagir.				
72	NALDURG	...	Achlir.	113	"	...	Sakta, jagir.				
73	"	...	Ashta.	114	"	...	Vatur, jagir.				
74	"	...	Hurti.	115	WASI	...	Chorakhali, jagir.				
75	"	...	Japuri.	116	"	...	Gujur, jagir.				
76	"	...	Jalkot.	117	"	...	Indapur, jagir.				
77	"	...	Kadhir.	118	"	...	Karkanawari, jagir.				
78	"	...	Kanigaon.	119	"	...	Khaniwari, jagir.				
79	"	...	Kilaj.	120	"	...	Kharur, jagir.				
80	"	...	Nandgaon.	121	"	...	Mavili, jagir.				
81	"	...	Salgara.	122	"	...	Pangaon, jagir.				
82	"	...	Togaon.	123	"	...	Panipari, jagir.				
83	PARENDA	...	Anjangaon, jagir.	124	"	...	Panpalgaon, jagir.				
84	"	...	Arla, jagir.	125	"	...	Sanyai, jagir.				
				126	"	...	Sarankundi, jagir.				
				127	"	...	Sarolahedga, jagir.				
				128	"	...	Tandulwari, jagir.				

Taluk.			Villages.	Taluk.			Villages.
129	WASI	...	Uplai, jagir.	130	WASI	...	Yaslipargaon, jagir

NALGUNDAH DISTRICT.

1	DEWALPALLI.	Ahantipalli.	41	NALGUNDAH.	Chanur.
2	"	... Algadpa.	42	"	... Chandupatla.
3	"	... Alwal.	43	"	... Charakpalli.
4	"	... Anjniipalli.	44	"	... Charkugbat.
5	"	... Anwaram.	45	"	... Charlapalli.
6	"	... Chalkurti.	46	"	... Charupalli.
7	"	... Chotapalli.	47	"	... Doguipalli.
8	"	... Kalmalcharla.	48	"	... Danipakla.
9	"	... Mayawaram.	49	"	... Edlur.
10	"	... Pirur.	50	"	... Itpamla.
11	"	... Ragdapa.	51	"	... Kanlerampalli.
12	"	... Sarsangandla.	52	"	... Kandur.
13	"	... Tamram.	53	"	... Kapul.
14	"	... Tarkamarla.	54	"	... Kastal.
15	"	... Tarmalgiri.	55	"	... Katankur.
16	"	... Tangatarti.	56	"	... Kudungal.
17	"	... Utlapalli.	57	"	... Mangalpalli.
18	"	... Warapalli.	58	"	... Mangur.
19	"	... Warsancharla.	59	"	... Mankanta.
20	"	... Wemalpalli.	60	"	... Nakrikal.
21	"	... Yadgarpalli.	61	"	... Nirrah.
22	"	... Yarapali.	62	"	... Nomla.
23	DEWARKUNDA	Garipalli.	63	"	... Pangi.
24	"	... Karmapalli, jagir.	64	"	... Pangur.
25	"	... Karmir, jagir.	65	"	... Pajur.
26	"	... Madigunda.	66	"	... Parrab.
27	"	... Mangal, jagir.	67	"	... Rajpet.
28	"	... Mirawaram.	68	"	... Rigadkarmapalli.
29	"	... Palcharla.	69	"	... Salaknur, jagir.
30	"	... Palwai (Makta).	70	"	... Sururam.
31	"	... Pastur.	71	"	... Taparti.
32	"	... Peda-avri.	72	"	... Tarchanupatla, jagir
33	"	... Polipalliganrala- palli.	73	"	... Tarkarimpalli.
34	"	... Wanjarmur, jagir.	74	"	... Tarlasanguram, jagir.
35	"	... Wavalkol.	75	"	... Tamani.
36	NALGUNDAH.	Ankadpahad.	76	"	... Tatkal.
37	"	... Akawaram.	77	"	... Tondalwai.
38	"	... Ansatidupalpalli.	78	"	... Ugura.
39	"	... Apajipet.	79	"	... Ukandi.
40	"	... Balpalli.	80	"	... Urmadla.
			81	"	... Walal.
			82	"	... Welagundam.

Taluk.		Villages.	Taluk.		Villages.
83	NALGUNDAH.	Welmari. -	120	SURAIYAPET.	Tamapuram.
84	"	... Welmala.	121	"	... Tangatarti.
85	"	... Yallarediguda.	122	"	... Tarlakhanampahad.
86	SURAIYAPET.	Anawaram.	123	"	... Tekmatla.
87	"	... Ansa:awaram.	124	"	... Tirmalgiri.
88	"	... Atamkur.	125	"	... Urlugunda.
89	"	... Baluyasala.	126	"	... Wabhalapur.
90	"	... Borakguda.	127	"	... Warikutapalli.
91	"	... Chalpakunta.	128	"	... Weldanda.
92	"	... Chantlur.	129	"	... Welgupalli.
93	"	... Chididla.	130	"	... Wemite.
94	"	... Husainabad.	131	WEMALKONDA	Aknipalli.
95	"	... Kakarwai.	(late Bhongir.)		
96	"	... Kalur.	132	"	... Aler.
97	"	... Kamal, Makta.	133	"	... Amanbol.
98	"	... Kandghatla.	134	"	... Ankaral.
99	"	... Kotmarti.	135	"	... Atmakur.
100	"	... Kotpahad.	136	"	... Bubarti, jagir.
101	"	... Kudur, Makta.	137	"	... Gandal.
102	"	... Lalchari.	138	"	... Golkawaram, jagir.
103	"	... Madhwaram.	139	"	... Itur.
104	"	... Madryal.	140	"	... Kalur, jagir.
105	"	... Makandapur.	141	"	... Kolkunda, jagir.
106	"	... Maryal.	142	"	... Kurila, jagir.
107	"	... Nagwaram, jagir.	143	"	... Lingoiguda, jagir.
108	"	... Namikal, jagir.	144	"	... Masahbpet, jagir.
109	"	... Namuram.	145	"	... Maryal, jagir.
110	"	... Nirarsharla.	146	"	... Mutakurdar, jagir.
111	"	... Pangur.	147	"	... Namli, jagir.
112	"	... Pasnur.	148	"	... Palgala, jagir.
113	"	... Patarlapahad.	149	"	... Palirla, jagir.
114	"	... Purmarla.	150	"	... Phangdri.
115	"	... Rayeguda.	151	"	... Raigir, jagir.
116	"	... Sanguram, Makta.	152	"	... Raiwalpalli, jagir.
117	"	... Sirigunda.	153	"	... Ridharayakpala, jagir.
118	"	... Sulipet.	154	"	... Sanguram, jagir.
119	"	... Talpanpahad.	155	"	... Tamalguda, jagir.

NANDER DISTRICT.

1	BHYSIA	... Bhosi, Makta.	4	BHYSIA	... Kandli.
2	"	... Deosi-Buzarg,	5	"	... Laglud.
		Makta.	6	"	... Mahagaon-Buzarg,
3	"	... Kamul, Makta.	7		Makta.

Taluk.			Villages.			Taluk.			Villages.		
7	BHYSA	...	Mahalangi.					KHARKAB-			
8	"	...	Naghura.		51			ARAHABLI.	Alwati, jagir.		
9	"	...	Tarura.		52		"	...	Togri, jagir.		
10	BILOLI	...	Bilkoni-Buzarg.		53		"	...	Toti, jagir.		
11	"	...	Kasarhali.		54		"	...	Wahga, jagir.		
12	"	...	Katur.		55		"	...	Wargaon, Buzarg,		
13	"	...	Lohgaon.		56		NANDER	...	jagir.	Bhosi.	
14	"	...	Naigaon.		57		"	...	Dongarkar.		
15	"	...	Ralur, Makta.		58		"	...	Gorath.		
16	"	...	Sagroli, Makta.		59		"	...	Jolapanchal.		
17	DIGLUR	...	Alur.		60		"	...	Kamta.		
18	"	...	Balali.		61		"	...	Lahi.		
19	"	...	Churwabka.		62		"	...	Makat.		
20	"	...	Eklara.		63		"	...	Malegaon.		
21	"	...	Ergi-Buzarg, jagir.		64		"	...	Malkoth.		
22	"	...	Gojgaon, jagir.		65		"	...	Nivgab, jagir.		
23	"	...	Hatamgara.		66		"	...	Paru.		
24	"	...	Karakher, jagir.		67		"	...	Pet Umri.		
25	"	...	Khanapur.		68		"	...	Sinoli.		
26	"	...	Madnur, jagir.		69		QANDHAR	...	Anbolga.		
27	"	...	Markhal.		70		"	...	Astur.		
28	"	...	Pala.		71		"	...	Bachuti.		
29	"	...	Shakarga-Buzarg.		72		"	...	Bambhosi, Makta.		
30	"	...	Shahpur.		73		"	...	Barol.		
31	"	...	Silgaon.		74		"	...	Chandula.		
32	"	...	Tamlur.		75		"	...	Dapak.		
33	HADGAON	...	Amri, jagir.		76		"	...	Digras-Buzarg.		
34	"	...	Asti.		77		"	...	Garagh.		
35	"	...	Banugah.		78		"	...	Halad.		
36	"	...	Dhanura.		79		"	...	Kolbani.		
37	"	...	Saru.		80		"	...	Konda, jagir.		
38	"	...	Harupa.		81		"	...	Koth.		
39	"	...	Garpalli.		82		"	...	Kurla.		
40	"	...	Hastara.		83		"	...	Pangra.		
41	"	...	Jolgaon.		84		"	...	Peta-Waraj, Makta		
42	"	...	Jiruna, jagir.		85		"	...	Rasangaon.		
43	"	...	Kavana, Makta.		86		"	...	Savargaonnasrat.		
44	"	...	Kharkibazar.		87		SARBAR				
45	"	...	Manata.		88		(late Lat)		Deshnupuri, Jagir.		
46	"	...	Puna, jagir.		89		"	...	Kalnir, jagir.		
47	"	...	Sarsam-Buzarg,		90		"	...	Kapsi-Buzarg.		
			jagir.		91		"	...	Kashnur.		
48	"	...	Saru.		92		"	...	Panur.		
49	"	...	Savargaon.		93		"	...	Sivri, jagir.		
	"	...	Warasti.		94		"	...	Sonkhar.		
							"	...	Tilki.		

Taluk.	Villages.	Taluk.	Villages.
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PARBHANI DISTRICT.

1	AUNDA	... Akhara	43	NARSI	... Shakra, Makta.
2	"	... Koli.	44	"	... Sivan.
3	"	... Kudhur.			
4	"	... Parchal, jagir.	45	PALAM	... Dhasari, jagir.
5	"	... Sarigaon, jagir.	46	"	... Dighuljampur,
6	"	... Talsi.			... jagir.
7	"	... Tandurpur.	47	"	... Kathigaon, jagir.
8	"	... Tondapur.	48	"	... Marusgaon, jagir.
9	"	... Uchgaon.	49	"	... Okli-Buzarg, jagir.
10	"	... Warkuri.	50	"	... Pharkhad, jagir.
			51	"	... Pipalgaonpet,
11	BASMAT	... Aral.			... Makta.
12	"	... Bonra.	52	"	... Sakhradura, jagir.
13	"	... Dhangartakli.	53	"	... Sarsi-Buzarg, jagir
14	"	... Gur.	54	"	... Tahwa, jagir.
15	"	... Hayatnagar.	55	"	... Tarafmarath, jagir.
16	"	... Kanarkhar.	56	"	... Tarwari, jagir.
17	"	... Kavalgaon.	57	"	... Wargaon, jagir.
18	"	... Koth.	58	"	... Yendas, jagir.
19	"	... Pangra, jagir.			
20	"	... Sadarsana.	59	PARBHANI	... Ajalsund.
21	"	... Sakli.	60	"	... Arvi, jagir.
22	"	... Shahpur, jagir.	61	"	... Asola.
23	"	... Sindgi.	62	"	... Dharasur.
			63	"	... Jam.
24	JINTUR	... Ahtoli.	64	"	... Kantisar.
25	"	... Asigaon.	65	"	... Karanjala.
26	"	... Bamni.	66	"	... Kilgaon.
27	"	... Halas.	67	"	... Kindoli, jagir.
28	"	... Satambar.	68	"	... Kopharni.
29	"	... Takli.	69	"	... Lomagaon.
30	"	... Tani.	70	"	... Nila, jagir.
31	"	... Warwar.	71	"	... Pipri.
			72	"	... Tandakhali.
32	NARSI	... Ajsaon, Makta.	73	"	... Tankalas.
33	"	... Bhalgaon.	74	"	... Ukhala.
34	"	... Digras.	75	"	... Wai, jagir.
35	"	... Jipur.	76	"	... Warpal, jagir.
36	"	... Kadoli, Makta.			
37	"	... Khakar-Buzarg.	77	PATHRI	... Amri.
38	"	... Khatargaonpataj.	78	"	... Babbulgaon.
39	"	... Mabbulgaon.	79	"	... Banah Makta.
40	"	... Pali.	80	"	... Sarampuri.
41	"	... Pani.	81	"	... Devalgaon.
42	"	... Posigaon, Makta.	82	"	... Ganj-Buzarg.

Taluk.			Villages.			Taluk.			Villages.		
83	PATHRI	...	Hadgaon-Buzarg.	91	PATHRI	...	Rampur-Buzarg.	92	"	...	Rampur.
84	"	...	Khanur.	93	"	...	Rinakhali.	94	"	...	Relgaon.
85	"	...	Kikarjola.	95	"	...	Salapuri.	96	"	...	Satunakhurd, jagir.
86	"	...	Gogliwamangaon.	97	"	...	Sarashti, jagir.	98	"	...	Wasla.
87	"	...	Kolah.								
88	"	...	Mangrol.								
89	"	...	Murti.								
90	"	...	Pathri.								

RAICHUR DISTRICT.

1	ALPUR	...	Kayatur.	31	MANVI	...	Chikalparvi.
2	"	...	Langanwai.	32	"	...	Harikotal.
3	"	...	Maramangal.	33	"	...	Harvi.
4	"	...	Palur.	34	"	...	Margiri.
5	"	...	Panupad.	35	"	...	Nagalwar.
6	"	...	Paraktur.	36	"	...	Sarvara.
7	"	...	Undoli.	37	"	...	Yalatgi.
8	AMARCHINTA, (Samasthan)	...	Andyal, jagir.	38	RAICHUR	...	Atnur.
9	"	...	Chintakunta, jagir.	39	"	...	Bhosanpet.
10	"	...	Duman, jagir.	40	"	...	Chaksugur.
11	"	...	Lankal, jagir.	41	"	...	Char darbandi.
12	DEODURG	...	Arkarah.	42	"	...	Dewarsugur.
13	"	...	Kohir.	43	"	...	Gadlur.
14	"	...	Madarkal.	44	"	...	Jagarkal.
15	"	...	Maladkal.	45	"	...	Kalmali.
16	"	...	Masarkal.	46	"	...	Paranapala.
17	"	...	Raikoli-Kalan.	47	"	...	Upir, jagir.
18	GADWAL (Samasthan)	...	Bajura, jagir.	48	YADGIR	...	Anandpur.
19	"	...	Borpalli, jagir.	49	"	...	Balgi.
20	"	...	Chagapur, jagir.	50	"	...	Baryal.
21	"	...	Dharmaram, jagir.	51	"	...	Dagnur.
22	"	...	Malakal, jagir.	52	"	...	Halkun.
23	"	...	Markonda, jagir.	53	"	...	Hamanpalli.
24	"	...	Palwai, jagir.	54	"	...	Hongrezi.
25	"	...	Parur, jagir.	55	"	...	Kulur.
26	"	...	Ramapur, jagir.	56	"	...	Mohanpalli, jagir.
27	"	...	Upal, jagir.	57	"	...	Mahkanpalli.
28	"	...	Walur, jagir.	58	"	...	Pargol.
29	"	...	Warur, jagir.	59	"	...	Wegaon.
30	"	...	Yelkur, jagir.	60	YERGIRRA	...	Andursi.
				61	"	...	Argad.
				62	"	...	Aroli.

Taluk.		Villages.	Taluk.		Villages.
63	YERGIRRA ...	Bajal.	66	YERGIRRA ...	Matmuri.
64	" ...	Iranpur.	67	" ...	Wani.
65	" ...	Macharla.			

SIRPUR-TANDUR DISTRICT.

1	EDLAABAD ...	Bala.	15	SIRPUR ...	Bamni.
2	" ...	Devarpur.	16	" ...	Bikalpet.
3	" ...	Gimai-khurd.	17	" ...	Jangaon.
4	" ...	Gundursa.	18	" ...	Khamana.
5	" ...	Hibat.	19	" ...	Kherwati.
6	" ...	Kanut.	20	" ...	Kotmir.
7	" ...	Kirla, jagir.	21	" ...	Logaon.
8	" ...	Mahur.	22	" ...	Milaram.
9	" ...	Mamsikalan.	23	" ...	Nil.
10	" ...	Pandarwara.	24	" ...	Nulupalli.
11	" ...	Salgari.	25	" ...	Raminam.
12	" ...	Talsi, Makta.	26	" ...	Rijni.
13	RAJURA ...	Sasti.	27	" ...	Rital.
14	SIRPUR ...	Achlapur, jagir.	28	" ...	Tandur.
			29	" ...	Warsanpalli.
			30	" ...	Wempalli, Makta.

WARANGAL DISTRICT.

1	CHIRYAL ...	Atkal.	20	CHIRYAL ...	Ribarti, jagir.
2	" ...	Bachnapet, jagir.	21	" ...	Salakhpur.
3	" ...	Dholmath.	22	" ...	Shahpur.
4	" ...	Durveda.	23	" ...	Tarigapal, jagir.
5	" ...	Ghanpura.	24	" ...	Weldanda, jagir.
6	" ...	Inapur, jagir.	25	" ...	Wemalghat.
7	" ...	Jandgaon.			
8	" ...	Kamarveli.	26	MAHDUBABAD,	
9	" ...	Kandawaram.		Kandikunda.	Aler.
10	" ...	Koni, jagir.	27	" ...	Banglawer.
11	" ...	Ladluz.	28	" ...	Birul.
12	" ...	Madur.	29	" ...	Chadmarla.
13	" ...	Markuk.	30	" ...	Chanagurur.
14	" ...	Marmamla, jagir.	31	" ...	Fatchur.
15	" ...	Mastal.	32	" ...	Garla, jagir.
16	" ...	Nagpur.	33	" ...	Gartur.
17	" ...	Narigunda.	34	" ...	Harpiral.
18	" ...	Narmath.	35	" ...	Kamrawaram.
19	" ...	Nilutla, jagir.	36	" ...	Komtalaguda.

Taluk.	Villages.		Taluk.	Villages.
AHBUBABAD,		82	KHAMAM	Taldevarpalli, jag
<i>andikunda.</i>	Mankota.	83	"	... Tilapatta.
"	... Marpara.	84	"	... Tankila.
"	... Matir.	85	"	... Tirthala.
"	... Mattalpahad.	86	"	... Wahamsalapuram
"	... Nalikadur.	87	"	... Wallbhi.
"	... Narsulapet.	88	"	... Welgumatla.
"	... Pandihol.	89	"	... Wenkataipalam.
"	... Patarlapahad.	90	"	... Winawaram.
"	... Redigodram.			
"	... Sabarwer.	91	MADHRA	... Anawaropguram.
"	... Turar.	92	"	... Balapahad.
"	... Upnir.	93	"	... Balaweli, jagir.
"	... Usarkayelpalli.	94	"	... Betampuri.
"	... Watla.	95	"	... Betpalli.
		96	"	... Chandragunda.
KHAMAM	... Apalsanguram.	97	"	... Chinnur.
"	... Ariguda.	98	"	... Ganistkur.
"	... Baswapuram.	99	"	... Kakarla.
"	... Chagma.	100	"	... Kanchaparti.
"	... Chamapuri.	101	"	... Koglur, jagir.
"	... Chamrila.	102	"	... Karkunda.
"	... Gabugarti.	103	"	... Korutkal, jagir.
"	... Garimala.	104	"	... Madhra.
"	... Gandasari.	105	"	... Malawaram.
"	... Garlapahad.	106	"	... Mamnur.
"	... Garmarla.	107	"	... Matur, jagir.
"	... Gubtikalan.	108	"	... Pironcha.
"	... Kalkoth.	109	"	... Raghwapur.
"	... Kamipalli.	110	"	... Raipatnam.
"	... Kandapalli.	111	"	... Remarcharla.
"	... Kandibanda.	112	"	... Sorwaram.
"	... Kapugalu.	113	"	... Talarla.
"	... Kodar.	114	"	... Totaklinganapet.
"	... Konjarla.			
"	... Lachugudam.	115	PAKHAL	... Garjala.
"	... Langala.	116	"	... Narsayempet.
"	... Macharla.	117	"	... Pedapuram.
"	... Manchukunda.	118	"	... Yelkarti.
"	... Mangala.			
"	... Mathwaram.	119	PALWANCHA.	... Bayawaram, Makt
"	... Matuguda.	120	"	... Bosgampahad.
"	... Naglikunda.	121	"	... Kaknur.
"	... Raghunathpalam.	122	"	... Katkur.
"	... Rajesurpuram.	123	"	... Malkalpalli.
"	... Ripur.	124	"	... Ramanjuram,
"	... Sangraipalam,		"	... Makta.
	jagir.	125	"	... Raviguram, jagir

Taluk.		Villages.	Taluk.		Villages.
126	PALWANCHAL	Samtmuti, Makta.	154	WARANGAL ...	Karimabad, jagir.
127	"	... Tatkur.	155	"	... Mogalcharla.
128	"	... Waleryapakgami.	156	"	... Parotgiri.
129	PARKAL	... Aubal.	157	"	... Pirpalli, jagir.
130	"	... Bhagirathpet.	158	"	... Rankashaipet.
131	"	... Chanakurpak.	159	"	... Urkunda.
132	"	... Kaniparti.	160	"	... Wamrah.
133	"	... Kordtoncha.	161	"	... Wangapahad.
134	"	... Korpakkalam.	162	"	... Wesaipet.
135	"	... Kupal.	163	WARDANAPET.	Chagal.
136	"	... Lachmipuram.	164	"	... Chanur.
137	"	... Malangal.	165	"	... Gavinparti.
138	"	... Martapalli.	166	"	... Gurur.
139	"	... Nagoram.	167	"	... Kanchanpalli.
140	"	... Nirkala.	168	"	... Karal.
141	"	... Raiparti.	169	"	... Karondi.
142	"	... Ripak.	170	"	... Kundur.
143	"	... Sayempet.	171	"	... Kutur.
144	"	... Shangram.	172	"	... Marur-khurd.
145	"	... Wamanapet.	173	"	... Nalapalli.
146	"	... Wangapalli.	174	"	... Nandnam.
147	WARANGAL	Chanthghat.	175	"	... Pandal, jagir.
148	"	... Dharamsagaram.	176	"	... Raiparti.
149	"	... Dharmawaram.	177	"	... Tatikunda, jagir.
150	"	... Ganjkunda.	178	"	... Utapur.
151	"	... Gopcharla.	179	"	... Wamanapet.
152	"	... Ingurti.	180	"	... Wangra.
153	"	... Kandaparti.	181	"	... Yarnutla.
			182	"	... Yaland, jagir.

(Vide *Bombay Government Gazette* for 1897, Part I, pages 2015 to 2032.)

